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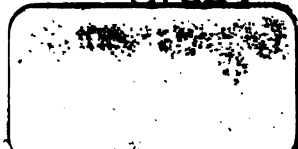


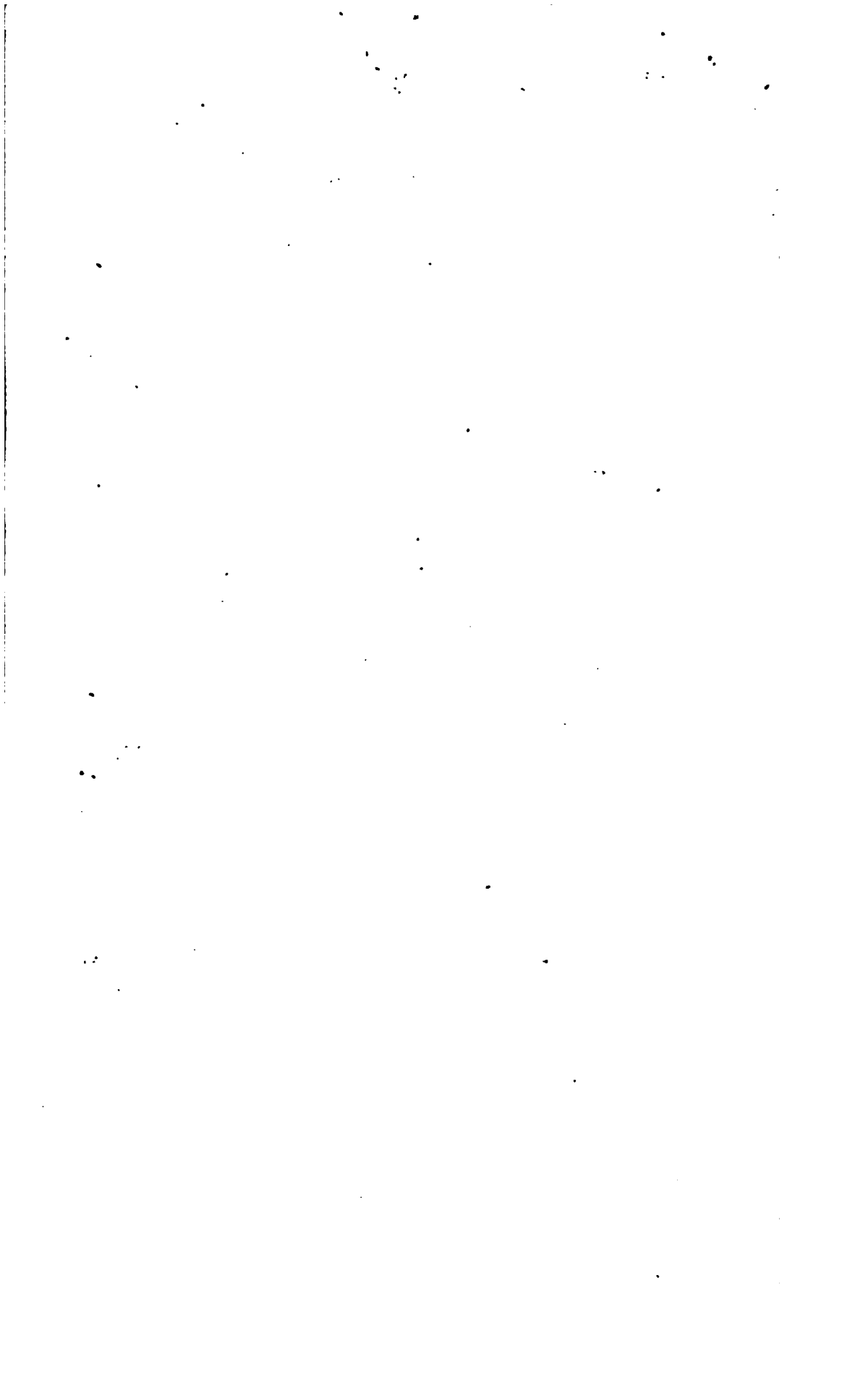
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THE
LAWS OF GRENADA,

AND THE
GRENADINES;

FROM THE YEAR 1766, TO THE YEAR 1852 :

WITH
A TABLE OF ACTS,
AND
A TABULAR AND GENERAL INDEX.

EDITED BY
WILLIAM SNAGG, Esq.,
OF THE MIDDLE TEMPLE, BARRISTER-AT-LAW;
HER MAJESTY'S ATTORNEY-GENERAL FOR GRENADA.

PRINTED FOR, AND UNDER THE DIRECTION OF,
D. J. DAVISON,
PUBLIC PRINTER OF GRENADA.

1852.



LEONARD SEELEY,
PRINTER,
THAMES DITTON, SURREY.



TO THE
RIGHT HONORABLE
SIR JOHN SOMERSET PAKINGTON, BART., M. P.,
HER MAJESTY'S
PRINCIPAL SECRETARY OF STATE
FOR THE COLONIES.

This Edition
OF THE
LAWS OF GRENADA,
IS,
WITH HIS PERMISSION,
RESPECTFULLY DEDICATED,
BY HIS FAITHFUL AND OBEDIENT SERVANT,

THE EDITOR.

THAMES DITTON, SURREY,
10th December, 1852.



P R E F A C E.

IN offering to the Public a new Edition of the Laws of Grenada, it may be expected that the publication should be accompanied by some explanation of the circumstances under which it was undertaken.

2. The Government of Grenada, as may be seen from the Royal Proclamation of October, 1763, comprehended the Island of that name, together with the Grenadines, and the Islands of Dominica, Saint Vincent and Tobago, which were presided over by a Governor-in-Chief, who, in the Statutes, is styled the Governor-in-Chief of the Southern Charibbee Islands of Grenada, the Grenadines, Dominica, Saint Vincent and Tobago; but in each Colony, there existed a separate Council and Assembly, the Legislative Assembly of Grenada, where the Governor-in-Chief resided, being the first formed.

3. Little of the early Legislation of the Colony is now in force, and there was a complete interruption of Legislative proceedings from the year 1779, when the Island was captured by the French, until its restoration to the Crown of Great Britain, when the English Government was re-established, by Proclamation, on the 10th of January, 1784.

4. An edition of the Laws, passed by the Legislature of the Colony from the first cession of the Island to the Crown of Great Britain, in 1763, to the year 1805, was published by Chief Justice SMITH, to whose talents and industry respect was rendered by the passing of an Act which made his printed collection of the Laws legal evidence in all the local courts. The earliest Act printed in that collection is dated in the year 1766, and, as remarked by him, the first trace of a regular established English Government which appears on record, is in January of the preceding year.

5. The period of 1805 was chosen by Chief Justice SMITH, for concluding his work, because an Act was passed by the Colonial Legislature, directing that all Statutes should thenceforth be regularly entered and recorded in the Secretary's office, in a Book to be kept for that purpose, which has been since complied with; and, from which Book, the Chief Justice augured that some future compiler might commence a new series.

6. Mr. SMITH's work having become scarce, another Edition of the Laws was published in the year 1830, by Mr. ALEXANDER M'COMBIE, with notes of reference, and an analytical Index, under the superintendence of the late

lamented Mr. HENRY OTWAY, for many years a Barrister in Grenada, and the value of this compilation was proved by its constant use in Court, and by the Public. From the year 1830, to the present period, the Laws, as passed, have been, from time to time, published by the Legislature, and distributed among the members and officers of the Government; but there is some difficulty, and considerable expense, in procuring a complete copy. It was not without much trouble that a copy was lately obtained for the Board of Trade, which was corrected for that department by the Editor.

7. The abolition of Slavery in the Colonies of Great Britain completely altered the nature of their Legislation; from a code of isolated restriction, they turned to the Laws of freedom and progress in civilization. The Editor willingly bears testimony to the zeal, activity, and patient industry of the Colonists, in meeting this great change. With the shackles of personal thralldom, they cast away all desire of retaining Laws which should impose unnecessary restraint on personal freedom—a different system of Legislation became essential, to meet the new requirements of society, but it was not possible at once to obliterate ancient enactments, and no revised publication of Laws embracing them, could be useful.

8. The compilation of Chief Justice SMITH comprised 92 Acts, 34 only of which are now in force; and his object in publishing his work, was to ascertain, and make known, the Laws then actually in force, without advertng to their quality; but he thus prepared a way for subsequent improvement, and in the altered position of the Colony, it became necessary to revise the Statutes in his collection, as well as the later enactments, with the view to a new publication.

9. Under these circumstances, the Editor, holding an official appointment under the Crown in the Colony, considered it his duty, and found it his happiness, as a member of the Legislature, from time to time, to introduce Statutes repealing obsolete enactments, and extending to the Colony the recently-passed important Laws of England.

10. In this undertaking he was greatly encouraged by the countenance of Lieutenant Governor HAMILTON, now Governor of Newfoundland; willing assistance was also rendered by the Council and Assembly, the members of which received with favor the project of consolidating and amending the Laws, and valuable aid was given to the work by the present respected Chief Justice DAVIS, who honored the Editor with his advice in regard to the repeal of old, and the enactment of new Laws.

11. At length an Act was passed by which so much of the old Legislation, as mentioned or related to Slavery, or designated or described any of Her Majesty's subjects, as contradistinguished from others, by descent, was repealed, and directed to be omitted in any future publication of the Laws of the Colony.

12. The number of published Laws, commencing with the first in the collection of Chief Justice SMITH, and continued in that of Mr. M'COMBIE amounts to 430; but by the process of revisal, and condensation, above

described, and the omission of expired Laws, the number of Acts, now actually in force, has been reduced to 198, which are contained in this edition, and of some of these it has not been deemed necessary to publish more than the titles. Of the Laws relating to the militia, the titles only are retained, in order to their future repeal ; and it is intended to consolidate the Laws relating to the Harbour of Saint George, the duty of which was intrusted to the Editor, who was prevented, by ill health, from its performance.

13. In the perusal of this edition, it must be borne in mind, that when any sum of money is mentioned in any act, before the first day of January, 1841, at which time the currency of the Colony was assimilated to that of Great Britain, such money, unless otherwise expressed, is to be considered as the then current money of the Colony, convertible into the present current money of the Colony, or sterling money of Great Britain, at the rate, or in the proportion of £2. 10s., of such former currency, for £1. of present sterling currency.

14. Since the residence of the Editor in England, he has had access to some of the Records of the Colonial Office ; and in his researches, he has been obligingly assisted by Mr. TALBOT of that department ; by which means, the Editor has been enabled to state in the Table of Acts prefixed to this work, the corresponding number of the Law in the Colonial Office ; and to add to the correctness of the compilation, by inserting the allowance of some Acts by Order in Council, with the date of such order, of which information he was not possessed during the time the work was passing through the press. The number of Laws relating to Grenada, in the record kept at the Colonial Office, is 470 ; which includes some Acts disallowed by the Sovereign, and not published among the printed Laws ; but this number does not include all the Acts contained in this collection ; the Editor not having been able to find in that Office any record of some of the early Acts ; which is to be accounted for by the fact, that, previously to the year 1782, the business of reviewing the Acts of the Colonial Legislatures before their confirmation by the Crown, was performed by the Board of Trade and Plantations, whence it was transferred to the office of the Secretary of State for the Home Department, and afterwards to the Secretary for the Colonies, in whose office are now to be found all certified copies of Acts, and other official documents since that period.

15. It appears by the records at the Colonial Office, that the Act, No. 45, the date of which is 18 August, and not 18 May, 1817, as printed in this collection, and, heretofore, considered in force, corresponding with No. 164 in that office, was disallowed by Order in Council, dated 20th October, 1820, and the disallowance communicated to Governor RIALL, in a despatch from Earl BATHURST dated the 18th of November, in that year.—The next Act, No. 46, to authorize the Sittings of the Courts and of the Legislature, in York House, being the premises to which the former Act referred, was left to its operation by Order in Council.

16. Great regularity is now observed in all departments relating to the custody, transmission, and confirmation of the Laws of the Colony ; the records there, are entrusted to the care of the Secretary of the Island, but he has no fixed office, and the most valuable documents, including evidence of title to the whole landed property of the Colony, are therefore liable to removal from place to place, and the Editor repeats the hope entertained by Chief Justice SMITH, that a proper office may be provided for the custody of all the public Records.

17. The great utility of a Registry relating to land, is fully known and appreciated in the West Indies ; but inconvenience often arises from want of uniformity in the Colonial Laws, as to the Probate of deeds, executed out of the United Kingdom, in Her Majesty's dominions and foreign countries ; and it is much to be desired, that this should be remedied by a General Law.

18. This compilation may not be without advantage in directing attention in other Colonies, besides Grenada, to the English Laws, which might be appropriately introduced.

19. A Tabular Index has been added to this work, which, the Editor believes, will be found useful ; and he has adopted, with some alteration, the general Index, lately published by Mr. OTWAY, to the use of which the public is now accustomed.

20. With this explanation, the Editor offers the present compilation to the indulgent consideration of the public, in the hope that it will prove useful to persons connected with property in the Colony, and, especially, to the Members of the Legislature, the Magistrates and Inhabitants of Grenada. He derives no emolument from, and has no pecuniary interest in, the publication, which is the undertaking of the Public Printer for the Colony, who, with the Editor, superintended the printing of the work during its passage through the press.

Thames Ditton, Surrey,

10th December, 1852.

NO.
IN THIS
VOLUME.

TABLE OF ACTS.

NO. IN
OFFICE OF
SECRETARY
OF STATE.

- 1 An Act to ascertain the Rate of Interest, and for settling the Damages on Bills of Exchange legally Protested. [Dec. 1, 1766.] page 1.
- 2 An Act for establishing and regulating a Register's Office. [April 20, 1767.] page 2.
- 3 An Act to make Cattle, Horses, Mules, Asses, Coppers, Stills, and Plantation Utensils, real Estate of Inheritance, and declaring Widows dowable of them, as of Lands and Tenements. [April 29, 1767.] page 5.
- 4 An Act for regulating the Proceedings of the General Assembly on all Bills to impose any General Tax on the Inhabitants of these Islands, and to Regulate the Proceedings of the Council on all Bills whatever. [October 14, 1767.] page 6.
- 5 An Act to explain and amend an Act, to make Cattle, Horses, Mules, Asses, Coppers, Stills, and Plantation Utensils, real Estate of Inheritance; and declaring Widows dowable of them, as of Lands and Tenements. [Feb. 1, 1770.] page 7.
- 6 An Act to extend an Act of Parliament made in the Twenty-Ninth Year of the Reign of the late King *Charles the Second*, intituled, "An Act for Prevention of Frauds and Perjuries," unto the Islands of *Grenada* and the *Grenadines*, and to enforce the same. [Feb. 20, 1770.] page 8.
- 7 An Act to explain and amend an Act intituled "An Act for establishing and regulating a Register's office." [April 3, 1770.] page 8.
- 8 An Act against the unlawful practising of pretended Surgeons and Doctors. [April 3, 1770.] page 10.
- 9 An Act for the Preservation of the Harbour and Bay of *St. George's*, appointing Regulations to be observed by Masters of Ships and other Vessels coming into and anchoring therein, for empowering the Commander-in-Chief to appoint a Harbour-Master, and for fixing his Salary. [Feb. 3, 1776.] page 11.
- 10 An Act for regulating the Re-building of the Town of *St. George*, in the Parish of *St. George*, in the Island of *Grenada*, for preventing the Destruction of the same by Fire, for ascertaining the Boundaries of the said Town, and making a correct Plan of the same, for rendering the said Town more safe, healthy, and convenient, by Alteration of some, and the Opening of other Streets, and for appointing Commissioners with Powers to treat and conclude for the Purchase of any private Property that may be affected by this Act, and generally for carrying the same into execution. [Feb. 3, 1776.] page 16.
- 11 An Act to regulate, restrict, and direct the Conduct of the Public Treasurers of these Islands, and to fix their Salaries. [March 22, 1776.] page 19.
- 12 An Act for incorporating the Trustees and Directors of the Colony Hospital in this Island, and for vesting, in them and their Successors, the Lands, Buildings, Ground and other Rents, belonging to the said Hospital Estate, and for confirming and

NO. IN THIS VOLUME.	TABLE OF ACTS.	NO. IN OFFICE OF SECRETARY OF STATE.
	enlarging their Powers, for the better Management and Disposition of the said Charity. [April 22, 1778.] page 23. <i>PROCLAMATION</i> , dated Jan. 10, 1784. page 29.	
13	An Act for the supplying the Want of Fines and Recoveries in these Islands, and for making any Deed or Deeds duly executed and acknowledged, before any of His Majesty's Justices of the Court of <i>Common-Pleas</i> , in the Kingdom of <i>England</i> or <i>Ireland</i> , or any of these Islands, equivalent to a Fine and Recovery or Fines and Recoveries, duly and regularly levied and suffered in any of His Majesty's Courts of <i>Record</i> at <i>Westminster</i> . [March 9, 1784.] page 31.	20
14	An Act for establishing a Court for hearing and determining Errors on Writs of Error, to be brought from the Judgment of the Court of <i>Common-Pleas</i> or <i>Exchequer</i> , and for directing the Manner of Proceeding in such Court of <i>Errors</i> . [March 27, 1784.] page 33.	
15	An Act for rendering the Process in the Court of <i>Chancery</i> effectual, in certain Cases, against Persons, who, being out of the Jurisdiction of the Court, refuse to appear thereto. [March 27, 1784.] page 39.	17
16	An Act for re-establishing a Court of <i>Kings-Bench</i> and <i>Grand Sessions</i> of the <i>Peace</i> , prescribing the Times of its Sitting, and regulating the Proceedings therein, and in Courts to be held by Virtue of Commissions of <i>Oyer</i> and <i>Terminer</i> and <i>Gaol-Delivery</i> ; and for taking away the Benefit of Clergy from Persons convicted of certain Crimes therein specified. [April 30, 1784.] page 43.	2
17	An Act for establishing Signal Posts, for erecting Batteries, and keeping the same in repair; empowering the Commander-in-Chief to appoint Master Gunners to take Care of such Batteries, and fixing their Salaries. [April 7, 1785.] page 48.	22
18	An Act to confirm a Contract lately made by the Council and Assembly with the Honourable <i>William Lucas</i> , for the Purchase of certain Lands, Messuages, Tenements, and Hereditaments, lying in the Parish of <i>Saint George</i> , to vest the same in Trustees, for the purposes therein mentioned; and to provide for the due payment of the Sum of Twenty Thousand Pounds, agreed to be given for the Purchase thereof; and for other Purposes relating thereto, herein mentioned. [August 25, 1785.] page 50.	29
19	An Act to amend an Act, intituled, "An Act for the Preservation of the Harbour and Bay of <i>Saint George</i> ; appointing Regulations to be observed by Masters of Ships, and other Vessels coming into and anchoring; for empowering the Commander-in-Chief to appoint a Harbour Master, and for fixing his Salary;" and for limiting the Boundaries of Town Lots and Wharfs from encroaching on the said Harbour. [Oct. 21, 1785.] page 55.	32
20	An Act to amend and explain an Act, intituled, "An Act to confirm a Contract made with the Honourable <i>William Lucas</i> for his <i>Mount George</i> Plantation; to vest the same in Trustees for certain Purposes; and to provide for the Payment of Twenty Thousand Pounds, being the Purchase Money; and for other Purposes relating thereto;" to ex-	31

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	tend the Time limited for the Sale of certain Parts of the said Plantation; to enlarge the Powers of the Trustees; and to extend the Boundary of the Town of <i>St. George</i> Eastward, to include so much of the said Lands adjoining the same as may be sold in small building Lots. [<i>October 21, 1785.</i>] page 60.	
21	An Act to amend and explain an Act, intituled, "An Act for regulating the re-building of the Town of <i>Saint George</i> , in the Parish of <i>Saint George</i> , in the Island of <i>Grenada</i> ; for preventing the Destruction of the same by Fire; for ascertaining the Boundaries of the said Town; and making a correct Plan of the same; for rendering the said Town more safe, healthy, and convenient, by alteration of some, and the opening of other Streets; and for appointing Commissioners, with Powers to treat and conclude for the Purchase of any private Property that may be affected by this Act, and generally for carrying the same into Execution;" to authorize the Use of Patent Slate, Patent Tin Plates, or Patent Iron Plates, on the Roofs, Sides, and Ends of Wooden Houses; for limiting the Duration of Houses, the outside Walls or Ends whereof are composed of Wood, or covered with Shingles; and for the Purchase of certain Grants of Lands, being part of the Public Streets and Squares in the said Town of <i>Saint George</i> . [<i>August 29, 1786.</i>] page 62.	37
22	An Act further to amend and explain "An Act for the Preservation of the Harbour and Bay of <i>St. George</i> , appointing Regulations to be observed by Masters of the Ships and other Vessels coming into and Anchoring therein, for empowering the Commander-in-Chief to appoint a Harbour Master, and for fixing his Salary." [<i>April 6, 1790.</i>] page 72.	61
23	An Act further to explain and amend an Act intituled, "An Act for establishing and regulating a Militia in this Island and <i>Carriacou</i> ," to repeal the 41st Clause of said Act, and also to repeal so much of "An Act for establishing Signal Posts, for erecting Batteries, and keeping the same in repair, empowering the Commander-in Chief to appoint Master-Gunners to take care of such Batteries, and fixing their Salaries," as allows Salaries to Master-Gunners of Batteries. [<i>June 29, 1790.</i>] page 73.	52
24	An Act for re-establishing a Court of <i>Common Pleas</i> and a Court of <i>Complaints</i> , directing the Modes of Proceeding therein, prescribing the Order of levying Executions issued out of the Courts formerly subsisting, or hereafter to issue out of the Courts hereby established, for limiting the Times of making Sales of Effects levied on, and for regulating and restricting the Conduct of the Secretary and Provost-Marshal in their respective Offices, and removing doubts with respect to the Expiration of the former Act for re-establishing the said Courts. [<i>Dec. 23, 1790.</i>] page 73.	67
25	An Act to alter and amend an Act, intituled "An Act for incorporating the Trustees and Directors of the Colony Hospital, and for vesting in them and their Successors, the Lands, Buildings, Ground and other Rents belonging to the said Hospital Estate, and for confirming and enlarging their	72

NO. IN THIS VOLUME.	TABLE OF ACTS.	NO. IN OFFICE OF SECRETARY OF STATE.
	" Powers for the better Management and disposition of that " Charity." [Aug 23, 1791.] page 115.	
26	An Act for punishing Vagabonds, and idle and disorderly Persons; and for declaring who shall be deemed such; and also for repealing an Act of the Legislature of these Islands, made and passed the twentieth day of February, One Thousand Seven Hundred and Seventy, intituled, " An Act for punishing " Rogues, Vagabonds, and other idle and disorderly Persons, " and declaring who shall be deemed Rogues, Vagabonds, idle " and disorderly persons;" and another Act of the said Le- gislation, made and passed the sixth day of February, One Thousand Seven Hundred and Ninety, intituled, " An Act for " amending an Act intituled, ' An Act for punishing Rogues, " ' Vagabonds, and other idle and disorderly Persons, and de- " ' claring who shall be deemed Rogues, Vagabonds, idle and " ' disorderly Persons;' " and another Act of the said Legis- lature, made and passed the seventeenth day of April, One Thousand Seven Hundred and Ninety-three, intituled, " An " Act to amend an Act intituled, ' An Act for punishing " ' Rogues, Vagabonds, and other idle and disorderly Persons, " ' and declaring who shall be deemed Rogues, Vagabonds, idle " ' and disorderly Persons.' " [June 3, 1794.] page 118.	
27	An Act to attain certain persons, therein named, of High Treason, unless they shall render themselves, and submit to justice, on or before the First Day of September, One Thousand Seven Hundred and Ninety-five. [Aug. 8, 1795.] page 121.	83
28	An Act to repeal an Act, intituled, " An Act for vesting in " His Majesty the Estates of certain Traitors, and for more " effectually discovering the same, and applying the produce " thereof to the use of His Majesty, and for ascertaining and " satisfying the lawful debts and claims thereon and against " the said Traitors," and also to repeal another Act, intituled, " An Act to amend and enlarge or extend an Act, intituled, An " Act for vesting in His Majesty the Estates of certain Trai- " tors, and for more effectually discovering the same, and ap- " plying the produce thereof for the use of His Majesty, and " for ascertaining and satisfying the lawful debts and claims " thereon, and against the said Traitors," And to reduce into one Act the several Clauses of the said Acts hereby repealed, which are deemed necessary to be re-enacted, with such alter- ations, amendments, and additions for supply of the defects and omissions of the repealed Acts, as may best effectuate the purposes intended by the said repealed Acts. [January 23, 1797.] page 121.	93
29	An Act to confirm certain parts of the report made by the Commissioners appointed by the Governor, by virtue of an Act intituled, " An Act to empower Commissioners to be ap- " pointed as therein mentioned, to inquire into the state and " circumstances of certain lands, which formerly belonged to " the Roman Catholic Church in the Island of Grenada, and " by the cession of the said Island became, and are now, vested " in His Majesty," to ascertain the mode of establishing by what tenure the said lands shall in future be held, and to enable	104

NO. IN THIS VOLUME.	TABLE OF ACTS.	NO. IN OFFICE OF SECRETARY OF STATE.
	the Governor to appoint one, or more, Receiver, or Receivers, with proper authority for collecting the arrears of rent due, as well as to sell the vacant and lapsed lots. [<i>October 4, 1800.</i>] <i>page 122.</i>	
30	An Act for establishing a Supreme Court of Judicature, and uniting therein the Jurisdictions of the several Courts of King's Bench and Grand Sessions of the Peace and Common Pleas heretofore established in this Island. [<i>Oct. 4, 1800.</i>] <i>page 126.</i>	105
31	An Act to alter and amend an Act therein mentioned, for establishing a Court for hearing and determining Errors, so far as the same relates to the number of Justices necessary to compose the said Court. [<i>January 26, 1801.</i>] <i>page 129.</i>	106
32	An Act to ratify and confirm all such Verdicts and Assessments of Damages upon interlocutory Judgments by Default or Confession, or upon Demurrer, to substantiate all Proceedings had thereon, in Cases where final Judgments have been omitted to be entered, to render it unnecessary to enter Judgments at large, in certain Cases, and to regulate the Proceedings on Motions for setting aside Judgments. [<i>May 19, 1801.</i>] <i>page 130.</i>	107
33	An Act to reduce into one Act, all the Laws, now in force, relating to the establishment and regulation of a Militia in the Islands of Grenada and Carriacou; and, to that end, to repeal the said Laws, and to substitute, in their stead and place, this present Act. [<i>July 1, 1801.</i>] <i>page 132.</i>	112
34	An Act for reducing into one Act of the Legislature, the several Laws relating to the Port and Harbour of Grenville, in the Parish of Saint Andrew, in the Island of Grenada, and for the better and more effectually preserving the same, and for appointing Commissioners for that purpose, and for raising Funds for defraying the Expenses thereof, and for repealing all other Acts and Clauses of Acts relating thereto, and for other purposes therein mentioned. [<i>July 31, 1801.</i>] <i>page 132.</i>	110
35	An Act for the shutting up a certain Street in the Town of St. George, called Shelburn-street, and for vesting the same in John Ryburn, David Gibbs, — Philip, Archibald Armstrong, and William Mackie. [<i>June 11, 1807.</i>] <i>page 147.</i>	127
36	An Act for Recording all the Laws that have passed the Legislature of this Government, since the Eighteenth Day of July, One Thousand Eight Hundred and Five, and all the Laws hereafter to be passed, and also, all the Proclamations hereafter to be made and issued in manner therein directed. [<i>September 16, 1807.</i>] <i>page 149.</i>	128
37	An Act to repeal "An Act for providing a Support for the Clergy of these Islands;" "An Act to supply the Defects of former Parish Registers, to compel the due and orderly Keeping thereof in future, to prevent the Celebration of Marriage otherwise than is therein directed, and to prescribe how Persons professing the Roman Catholic Religion may have their Baptisms, Marriages, and Burials, duly entered in the Parish Registers of the established Church;" and "an Act to amend so much of an Act entitled an Act for providing a Support for the Clergy of these Islands, as relates to the Town and Parish of St. George	

NO. IN THIS VOLUME.	TABLE OF ACTS.	NO. IN OFFICE OF SECRETARY OF STATE.
	and to provide a Support for the Clergy of this Government, and other purposes. (<i>December 11, 1807.</i>) <i>page 150.</i>	
38	An Act to make the printed Collection of the Laws of Grenada, lately published by the Chief Justice of this Colony, legal Evidence in all Courts within these Islands. [<i>March 15, 1809.</i>] <i>page 159.</i>	131
39	An Act for raising a Tonnage Duty on all Ships and Vessels coming into and using the Harbour of Saint George, for the purpose of cleaning out and restoring the Depth of the same, when it hath become shoaled; and keeping clean and preserving such Depth of it in future, under direction of the Commissioners for the time being of that Harbour. [<i>November 6, 1809.</i>] <i>page 160.</i>	134
40	An Act for appropriating a small vacant Lot in that Part of the Town of Saint George, called the Bay, to the purposes of a public additional Shipping and Landing Place, for that Part of the said Town and Harbour; and for the vesting the same in the Commissioners appointed by the Act commonly called the Road Act. [<i>August 1, 1810.</i>] <i>page 162.</i>	138
41	An Act for more effectually securing the Payment of certain Debts contracted for the Use and Benefit of the Estates and Plantations in this Island and its Dependencies, against the Effect of Sales, or Disposal thereof, or change of Property therein, or the Death of Proprietors. [<i>October 31, 1812.</i>] <i>page 163.</i>	149
42	An Act to alter and amend certain Parts of an Act made and passed in the Forty-eighth Year of the Reign of His present Majesty, for providing a Support for the Clergy of this Government, and other purposes therein mentioned, commonly called the Clergy Act. [<i>March 20, 1813.</i>] <i>page 166.</i>	150
43	An Act for laying and assessing certain Rates or Taxes on the Sugars made and manufactured on certain Estates in the Parishes of St. Andrew and St. Patrick, for the purpose of completing a Stone Bridge and Bridge-Way over the Great River in the Parish of St. Andrew, near the Paradise Ford, and for granting and appropriating a certain Sum in Aid thereof, and for appointing Commissioners to carry the same into effect. [<i>July 15, 1814.</i>] <i>page 168.</i>	157
44	An Act for dividing the Parish of St. Mark, and uniting Part thereof to the Parish of St. Patrick, and Part to the Parish of St. John, and the Estate of Crochu in St. Andrew's to the Parish of St. David, in so far only as regards the Militia and Road Labour. [<i>May 27, 1815.</i>] <i>page 168.</i>	
45	An Act to confirm a Contract lately made by the Council and Assembly, with the Attorney of the Heir-at-Law of the late Alexander Scott, for the Purchase of a certain House and Premises called "York House," in the Town of St. George, to vest the same in Trustees for the purposes therein mentioned; and to provide for the Payment of the purchase Money, agreed to be given for the Purchase thereof. [<i>August 18, 1817.</i>] <i>page 169.</i>	164
46	An Act to authorize holding the Sittings of the Courts of Justice, and of the Legislature of these Islands, in the Building known by the name of York-House, during the rebuilding of the present Court-House. [<i>September 30, 1817.</i>] <i>page 171.</i>	165

NO. IN THIS VOLUME.	TABLE OF ACTS.	NO. IN OFFICE OF SECRETARY OF STATE.
47	An Act to quiet Possessions, and for preventing vexatious Suits at Law. [<i>March 4, 1819.</i>] Assented to by Order in Council, dated Dec. 23, 1819, signified in Grenada, March 7, 1820. <i>page 171.</i>	174
48	An Act for the more easy Recovery of Seamen's Wages. [<i>Dec. 21, 1819.</i>] <i>page 174.</i>	176
49	An Act to repeal so much of an Act entitled "An Act for recording all the Laws that have passed the Legislature of this Government since the Eighteenth day of July, One Thousand Eight Hundred and Five, and also all the Proclamations hereafter to be made and issued, in manner therein directed," as relates to the examination of the said Acts by the President of the Council, the Speaker of the Assembly, and the Secretary of the Island, or his lawful Deputy; and to render valid the Examination thereof by the Secretary or his lawful Deputy only. [<i>July 9, 1821.</i>] <i>page 175.</i>	181
50	An Act for reviving and making perpetual an Act intituled "An Act for the more easy Recovery of Seamen's Wages." [<i>October 9, 1822.</i>] <i>page 176.</i>	185
51	An Act for the Relief and Subsistence of Debtors confined in Prison on Executions, and to oblige such Debtors to make a Disclosure of their Property, and deliver up the same for the Benefit of their Creditors. [<i>July 12, 1823.</i>] <i>page 177.</i>	189
52	An Act to repeal part of the eighth Clause of an Act, intituled "An Act for reducing into one Act of the Legislature, the several Laws relating to the Port and Harbour of Grenville, in the Parish of St. Andrew, in the Island of Grenada, and for the better and more effectually preserving the same, and for appointing Commissioners for that purpose, and for raising funds for defraying the expenses thereof, and for repealing all other Acts and Clauses of Acts, relating thereto, and for other purposes therein mentioned," as far as relates to the rates paid upon produce, and for substituting other rates in lieu thereof. [<i>December 22, 1824.</i>] Left to its operation by Order in Council, dated 5th February, 1827. <i>page 179.</i>	197
53	An Act to repeal so much of the Act intituled, "An Act to reduce into one Act, all the Laws now in force relating to the Establishment and Regulation of the Militia in the Islands of Grenada and Carriacou, and to that end to repeal the said Laws, and to substitute, in their stead and place, this present Act," in so far as relates to the days of meeting, or muster of the several Regiments, and of the Troop of Light Dragoons. [<i>April 9, 1825.</i>] Left to its operation by Order in Council, dated 5th February, 1827. <i>page 181.</i>	200
54	An Act for separating the Parishes of Saint John and Saint Mark, from the Parish of Saint George, and the Parish of Saint Patrick, from the Parishes of Saint Andrew and Saint David, and for providing a Salary for the Minister to be appointed to the Benefice of the united Parishes of Saint John and Saint Mark. [<i>13th September, 1825.</i>] <i>page 181.</i>	203
55	An Act to declare the Ecclesiastical Laws and Canons, now in force, in England, in so far as they relate to the Ecclesiastical Regimen of the Clergy, in force in these Islands. [<i>14th March,</i>	206

NO. IN THIS VOLUME.	TABLE OF ACTS.	NO. IN OFFICE OF SECRETARY OF STATE.
	and to provide a Support for the Clergy of this Government, and other purposes. (<i>December 11, 1807.</i>) <i>page 150.</i>	
38	An Act to make the printed Collection of the Laws of Grenada, lately published by the Chief Justice of this Colony, legal Evidence in all Courts within these Islands. [<i>March 15, 1809.</i>] <i>page 159.</i>	131
39	An Act for raising a Tonnage Duty on all Ships and Vessels coming into and using the Harbour of Saint George, for the purpose of cleaning out and restoring the Depth of the same, when it hath become shoaled; and keeping clean and preserving such Depth of it in future, under direction of the Commissioners for the time being of that Harbour. [<i>November 6, 1809.</i>] <i>page 160.</i>	134
40	An Act for appropriating a small vacant Lot in that Part of the Town of Saint George, called the Bay, to the purposes of a public additional Shipping and Landing Place, for that Part of the said Town and Harbour; and for the vesting the same in the Commissioners appointed by the Act commonly called the Road Act. [<i>August 1, 1810.</i>] <i>page 162.</i>	138
41	An Act for more effectually securing the Payment of certain Debts contracted for the Use and Benefit of the Estates and Plantations in this Island and its Dependencies, against the Effect of Sales, or Disposal thereof, or change of Property therein, or the Death of Proprietors. [<i>October 31, 1812.</i>] <i>page 163.</i>	149
42	An Act to alter and amend certain Parts of an Act made and passed in the Forty-eighth Year of the Reign of His present Majesty, for providing a Support for the Clergy of this Government, and other purposes therein mentioned, commonly called the Clergy Act. [<i>March 20, 1813.</i>] <i>page 166.</i>	150
43	An Act for laying and assessing certain Rates or Taxes on the Sugars made and manufactured on certain Estates in the Parishes of St. Andrew and St. Patrick, for the purpose of completing a Stone Bridge and Bridge-Way over the Great River in the Parish of St. Andrew, near the Paradise Ford, and for granting and appropriating a certain Sum in Aid thereof, and for appointing Commissioners to carry the same into effect. [<i>July 15, 1814.</i>] <i>page 168.</i>	157
44	An Act for dividing the Parish of St. Mark, and uniting Part thereof to the Parish of St. Patrick, and Part to the Parish of St. John, and the Estate of Crochu in St. Andrew's to the Parish of St. David, in so far only as regards the Militia and Road Labour. [<i>May 27, 1815.</i>] <i>page 168.</i>	
45	An Act to confirm a Contract lately made by the Council and Assembly, with the Attorney of the Heir-at-Law of the late Alexander Scott, for the Purchase of a certain House and Premises called "York House," in the Town of St. George, to vest the same in Trustees for the purposes therein mentioned; and to provide for the Payment of the purchase Money, agreed to be given for the Purchase thereof. [<i>August 18, 1817.</i>] <i>page 169.</i>	164
46	An Act to authorize holding the Sittings of the Courts of Justice, and of the Legislature of these Islands, in the Building known by the name of York-House, during the rebuilding of the present Court-House. [<i>September 30, 1817.</i>] <i>page 171.</i>	165

NO. IN THIS VOLUME.	TABLE OF ACTS.	NO. IN OFFICE OF SECRETARY OF STATE.
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48	An Act for the more easy Recovery of Seamen's Wages. [<i>Dec. 21, 1819.</i>] <i>page 174.</i>	176
49	An Act to repeal so much of an Act entitled "An Act for recording all the Laws that have passed the Legislature of this Government since the Eighteenth day of July, One Thousand Eight Hundred and Five, and also all the Proclamations hereafter to be made and issued, in manner therein directed," as relates to the examination of the said Acts by the President of the Council, the Speaker of the Assembly, and the Secretary of the Island, or his lawful Deputy; and to render valid the Examination thereof by the Secretary or his lawful Deputy only. [<i>July 9, 1821.</i>] <i>page 175.</i>	181
50	An Act for reviving and making perpetual an Act intituled "An Act for the more easy Recovery of Seamen's Wages." [<i>October 9, 1822.</i>] <i>page 176.</i>	185
51	An Act for the Relief and Subsistence of Debtors confined in Prison on Executions, and to oblige such Debtors to make a Disclosure of their Property, and deliver up the same for the Benefit of their Creditors. [<i>July 12, 1823.</i>] <i>page 177.</i>	189
52	An Act to repeal part of the eighth Clause of an Act, intituled "An Act for reducing into one Act of the Legislature, the several Laws relating to the Port and Harbour of Grenville, in the Parish of St. Andrew, in the Island of Grenada, and for the better and more effectually preserving the same, and for appointing Commissioners for that purpose, and for raising funds for defraying the expenses thereof, and for repealing all other Acts and Clauses of Acts, relating thereto, and for other purposes therein mentioned," as far as relates to the rates paid upon produce, and for substituting other rates in lieu thereof. [<i>December 22, 1824.</i>] Left to its operation by Order in Council, dated 5th February, 1827. <i>page 179.</i>	197
53	An Act to repeal so much of the Act intituled, "An Act to reduce into one Act, all the Laws now in force relating to the Establishment and Regulation of the Militia in the Islands of Grenada and Carriacou, and to that end to repeal the said Laws, and to substitute, in their stead and place, this present Act," in so far as relates to the days of meeting, or muster of the several Regiments, and of the Troop of Light Dragoons. [<i>April 9, 1825.</i>] Left to its operation by Order in Council, dated 5th February, 1827. <i>page 181.</i>	200
54	An Act for separating the Parishes of Saint John and Saint Mark, from the Parish of Saint George, and the Parish of Saint Patrick, from the Parishes of Saint Andrew and Saint David, and for providing a Salary for the Minister to be appointed to the Benefice of the united Parishes of Saint John and Saint Mark. [<i>13th September, 1825.</i>] <i>page 181.</i>	203
55	An Act to declare the Ecclesiastical Laws and Canons, now in force, in England, in so far as they relate to the Ecclesiastical Regimen of the Clergy, in force in these Islands. [<i>14th March,</i>	206

NO. IN THIS VOLUME.	TABLE OF ACTS.	NO. IN OFFICE OF SECRETARY OF STATE.
	1826.] Left to its operation by Order in Council, dated 14th March, 1827. <i>page 183.</i>	
56	An Act for regulating the Fees of Persons holding certain Public Situations within this Government, as also, the Charges of Surgeons and Medical Practitioners, for attending Coroners' Inquests. [September 19, 1826.] Left to its operation by Order in Council, dated 30th April, 1827. <i>page 185.</i>	213
57	An Act to alter and amend an Act, intituled "An Act to reduce into one Act all the Laws now in force, relating to the establishment and regulation of a Militia in the Islands of Grenada and Carriacou, and to that end to repeal the said Laws, and to substitute in their stead and place this present Act." [31st October, 1826.] Left to its operation by Order in Council, dated 28th April, 1828. <i>page 190.</i>	216
58	An Act to authorize depositing the Public Ammunition in a Vault near and belonging to York-House. [24th November, 1827.] Left to its operation by Order in Council, dated 22nd June, 1829. <i>page 190.</i>	222
59	An Act to remove doubts as to the authority of the Treasurer to issue Warrants, and of the Provost Marshal General or his lawful Deputy to execute the same against Absentees, and other Defaulters in the Grenada Troop of Light Dragoons. [21st March, 1828.] Left to its operation by Order in Council, dated 18th March, 1829. <i>page 191.</i>	223
60	An Act to indemnify the Provost Marshal General and his lawful Deputy, from any responsibility or forfeiture under the twenty-second Clause of an Act, intituled "An Act to reduce into one Act, all the Laws now in force relating to the establishment and regulation of a Militia in the Islands of Grenada and Carriacou, and to that end to repeal the said Laws, and to substitute in their stead and place this present Act," in so far as relates to the making of certain Returns therein mentioned. [24th November, 1828.] Left to its operation by Order in Council, dated 22nd June, 1829. <i>page 191.</i>	233
61	An Act for reviving and making perpetual, an Act, intituled, "An Act for the relief and subsistence of Debtors confined in "Prison on Executions," and to oblige such Debtors to make a disclosure of their Property, and deliver up the same for the benefit of their Creditors. [25th November, 1828.] Left to its operation by Order in Council, dated 22nd June, 1829. <i>page 191.</i>	234
62	An Act to alter and amend an Act, intituled, "An Act to repeal an Act for providing a support for the Clergy of these Islands, an Act to supply the defect of former Parish Registers, to compel the due and orderly keeping thereof in future, to prevent the celebration of Marriage otherwise than is therein directed, and to prescribe how persons professing the Roman Catholic Religion may have their Baptisms, Marriages, and Burials duly entered in the Parish Registers of the Established Church;" and an Act to amend so much of an Act, intituled, "An Act for providing a support for the Clergy of these Islands," as relates to the town and parish of Saint George, and to provide a support for the Clergy of this Government, and other purposes. [May 15, 1829.] Left to its operation by Order in Council, dated 7th December, 1829. <i>page 192.</i>	240

NO. IN THIS VOLUME.	TABLE OF ACTS.	NO. IN OFFICE OF SECRETARY OF STATE.
63	An Act to render copies or exemplifications of Wills under the Seal of the Prerogative Court of the Archbishop of Canterbury, or under the Seal of any Court or Authority having power to grant Probates of Wills, good evidence of Wills, <i>prima facie</i> in all Courts of Law and Equity within this Government. [May 15, 1829.] Left to its operation by Order in Council, dated 7th December, 1829. <i>page 193.</i>	241
64	An Act to amend certain parts of an Act, for re-establishing a Court of King's Bench and Grand Sessions of the Peace, and for other purposes; and certain parts of another Act for re-establishing a Court of Common Pleas and Court of Complaints, and for other purposes, in so far as relates to the issuing of process out of the same. [September 21, 1829.] Left to its operation by Order in Council, dated 31st January, 1831. <i>page 194.</i>	244
65	An Act to amend and explain an Act, intituled, "An Act to alter and amend an Act, intituled, an Act to reduce into one Act, all the Laws now in force relating to the establishment and regulation of a Militia in the Islands of Grenada and Carriacou, and to that end to repeal the said Laws, and to substitute in their stead and place this present Act." [November 14, 1829.] Left to its operation by Order in Council, dated 31st January, 1831. <i>page 196.</i>	248
66	An Act to define and establish the relative rights of Masters and Apprentices. [December 30, 1829.] Left to its operation by Order in Council, dated 31st January, 1831. <i>page 196.</i>	251
67	An Act to authorize the sale of the real Estate in the Island of Carriacou, of William Davidson, a lunatic, and the conveyance of certain lands sold, or contracted to be sold by William Davidson, deceased, the Father of the said lunatic, and for other purposes. [September 13, 1830.] Ratified, confirmed, and finally enacted by Order in Council, dated 23rd March 1831. <i>page 197.</i>	254
68	An Act for vesting the old Court House Lot in Trustees, for the purposes therein mentioned. [September 13, 1830.] <i>page 198.</i>	255
69	An Act to extend the limits of the Bay and Harbour of Saint George, in respect to the Commissioners thereof. [August 20, 1831.] Left to its operation by Order in Council, dated 9th December, 1833. <i>page 198.</i>	259
70	An Act to amend an Act, intituled, "An Act for establishing "a Supreme Court of Judicature, and uniting therein the jurisdictions of the several Courts of King's Bench and Grand "Sessions of the Peace, and Common-Pleas, heretofore established in this Island." [September 16, 1831.] Left to its operation by Order in Council, dated 9th December, 1833. <i>page 199.</i>	262
71	An Act to render valid the Registry of all such Marriages, Baptisms and Burials in the several Parishes of these Islands, as may not have heretofore been witnessed and attested according to Law, and render such signature or attestation unnecessary in future. [December 16, 1831.] Left to its operation by Order in Council, dated 9th December, 1833. <i>page 200.</i>	266
72	An Act to repeal an Act, intituled, An Act to assimilate the Criminal Code of the Island of Grenada and its Dependencies,	265

NO. IN THIS VOLUME.	TABLE OF ACTS.	NO. IN OFFICE OF SECRETARY OF STATE.
	as near as may be to the Criminal Code of England, relative to offences against the Person, and to substitute this Act in lieu thereof. [<i>December 16, 1831.</i>] Left to its operation by Order in Council, dated 9th December, 1833. <i>page 202.</i>	
73	An Act for altering and amending the Law regarding Commitments by the Court of Chancery, for contempts, and the taking Bills pro confesso. [<i>December 16, 1831.</i>] Left to its operation by Order in Council, dated 9th December, 1833. <i>page 205.</i>	267
74	An Act to repeal An Act, intituled, "An Act to oblige ships and other vessels more effectually to perform Quarantine, and for the better preventing the communication of malignant and infectious diseases," and to make more general provisions for the performance of Quarantine, by ships and vessels hereafter arriving, and preventing the communication of the disease called Cholera Spasmodica, and all other malignant and infectious diseases. [<i>24th December, 1831.</i>] Left to its operation by Order in Council, dated 9th December, 1833. <i>page 211.</i>	268
75	An Act for the relief of certain classes of His Majesty's Subjects within this Government, in respect to certain disabilities under which they labour; to repeal the several Laws relating to the Election of Representatives to serve in the House of Assembly, and to substitute the present Act in their stead. [<i>January 30, 1832.</i>] <i>page 214.</i>	269
76	An Act to provide a Stipend or Salary for the Clergyman of the Presbyterian Church in this Colony. [<i>21st December, 1832.</i>] Left to its operation by Order in Council, dated 15th August, 1834. <i>page 223.</i>	280
77	An Act to alter and amend an Act of these Islands commonly called the Clergy Act, so far as the same relates to the time of the publication of Banns of Marriage and for other purposes, [<i>22nd May, 1833.</i>] Left to its operation by Order in Council, dated 9th December, 1833. <i>page 223.</i>	284
78	An Act to assimilate the Laws of Grenada and its Dependencies to the Laws of the United Kingdom of Great Britain and Ireland, as far as may be practicable, according to the circumstances and condition of this Colony. [<i>6th March, 1834.</i>] Left to its operation by order in Council, dated 15th August, 1834. <i>page 225.</i>	288
79	An Act for the better Administration of Criminal Justice. [<i>2nd August, 1834.</i>] Left to its operation by Order in Council, dated 23rd April, 1835. <i>page 225.</i>	290
80	An Act to amend an Act, entitled "An Act to repeal an Act, entitled 'An Act to assimilate the Criminal Code of the Island of Grenada and its Dependencies, as near as may be to the Criminal Code of England, relative to Offences against the person, and to substitute this Act in lieu thereof.'" [<i>August 6, 1834.</i>] <i>page 245.</i>	292
81	An Act for consolidating and amending the Laws relating to Jurors and Juries. [<i>November 11, 1834.</i>] Left to its operation by Order in Council, dated March 9, 1836. <i>page 247.</i>	298
82	An Act to amend an Act, intituled, "An Act for consolidating and amending the Laws relating to Jurors and Juries."	299

NO. IN THIS VOLUME.	TABLE OF ACTS.	NO. IN OFFICE OF SECRETARY OF STATE.
	[November 22, 1834.] Left to its operation by Order in Council, dated 9th March, 1836. <i>page 261.</i>	
83	An Act to alter the Vestry of the Town and Parish of Saint George, in Grenada. [May 16, 1835.] Left to its operation by Order in Council, dated 9th March, 1836. <i>page 262.</i>	303
84	An Act for establishing Boards of Health. [May 16, 1835.] Left to its operation by Order in Council, dated 9th March, 1836. <i>page 263.</i>	302
85	An Act to repeal certain parts of an Act passed on the sixth day of August, one thousand eight hundred and thirty four, for amending the Criminal Law. [October 5, 1835.] Left to its operation by Order in Council, dated 3rd February, 1836. <i>page 265.</i>	305
86	An Act to repeal part of an Act of these Islands, intituled, "An Act for regulating the proceedings of the General Assembly on all Bills to impose any general tax on the inhabitants of these Islands, and to regulate the proceedings of the Council on all Bills whatever." [March 7, 1836.] Left to its operation by Order in Council, dated 3rd August, 1836. <i>page 265.</i>	308
87	An Act for recompensing the Holders of certain Public Situations with Salaries, in lieu of Fees, for their Public Services. [April 25, 1836.] Left to its operation by Order in Council, dated 22nd December, 1836. <i>page 266.</i>	309
88	An Act for introducing a supply of Water into the Town of Saint George, and for facilitating the watering of the Shipping at the Port of Saint George. [April 25, 1836.] Left to its operation by Order in Council, dated 22nd December, 1836. <i>page 267.</i>	310
88-2	An Act to alter and amend an Act entitled, "An Act for introducing a supply of water into the Town of Saint George, and for facilitating the watering of the Shipping at the Port of Saint George." [May 16, 1843.] Left to its operation by Order in Council, dated 23rd August, 1843. <i>page 271.</i>	361
89	An Act for establishing a Police, and to regulate the same. [June 2, 1836.] Left to its operation by Order in Council, dated 22nd December, 1836. <i>page 272.</i>	315
90	An Act for repealing certain Acts which are burthensome on the Shipping and Persons trading to these Islands, and for providing a remuneration to the present Island Secretary in lieu of fees established by the said Acts. [June 2, 1836.] Left to its operation by Order in Council, dated 22nd December, 1836. <i>page 280.</i>	316
91	An Act to give effect to the provisions of an Act of the Parliament of the United Kingdom of Great Britain and Ireland, passed to make provision for the better administration of Justice in certain of His Majesty's West India Colonies. [October 8, 1836.] <i>page 281.</i>	317
92	An Act to prevent the firing off of Cannon, Swivels, or other description of Fire Arms, from Ships, or other Vessels, in the Carenage of the Town of Saint George, and from the Wharfs adjoining the same. [February 1, 1838.] Left to its operation by Order in Council, dated 8th June, 1838. <i>page 282.</i>	320
93	An Act for the more speedy levying of Recognizances forfeited, and of fines imposed on Jurors and Witnesses. [June 26, 1838.]	324

NO. IN THIS VOLUME.	TABLE OF ACTS.	NO. IN OFFICE OF SECRETARY OF STATE.
	Left to its operation by Order in Council, dated 29th November, 1838. <i>page 282.</i>	
94	An Act to regulate all Weights and Measures, and to reduce them to one common standard. [25th November, 1839.] <i>page 284.</i>	337
95	An Act to facilitate the recovery of possession of Tenements, after due determination of the Tenancy. [25th November, 1839.] <i>page 285.</i>	336
96	An Act to provide for the assimilation of the Currency of the Island of Grenada and its Dependencies, to the Currency of the United Kingdom of Great Britain and Ireland. [24th August, 1840.] Left to its operation by Order in Council, dated 8th May, 1841. <i>page 289.</i>	340
97	An Act to promote and encourage Steam Navigation between this Island and Great Britain, for conveyance of Mails and Passengers. [9th January, 1841.] Left to its operation by Order in Council, dated 8th May, 1841. <i>page 292.</i>	343
98	An Act to alter and amend the several Harbour Acts, authorizing the erection of Jetties for the accommodation of Her Majesty's Steam and other Vessels, and of the Royal Mail Steam Packet Company. [April 8, 1841.] Left to its operation by Order in Council, dated 11th August, 1841. <i>page 293.</i>	344
99	An Act for the amendment of the Laws with respect to Wills. [July 14, 1841.] Left to its operation by Order in Council, dated 15th January, 1842. <i>page 294.</i>	347
100	An Act to repeal an Act entitled "An Act to render valid and legal, all Marriage Ceremonies performed by Ministers of the Presbyterian Church, duly authorized Priests of the Roman Catholic Religion, Wesleyan Missionaries, and licensed Ministers of every denomination of Christians, and to provide for the legal Registration of all Marriages, Baptisms, and Funerals performed by other than Clergymen of the Established Church," and for the better regulation of Marriages. [September 13, 1841.] Confirmed by Order in Council, dated 2nd February, proclaimed at Grenada, April 20, 1842. <i>page 299.</i>	351
101	An Act for the amendment of the Law relating to Dower. [September 13, 1841.] Left to its operation by Order in Council, dated 2nd February, 1842. <i>page 306.</i>	350
102	An Act for the amendment of the Law of Inheritance. [September 13, 1841.] Left to its operation by Order in Council, dated 2nd February, 1842. <i>page 308.</i>	349
103	An Act for making better provision for the disposal of the undisposed of residues of the effects of Testators. [13th September, 1841.] Left to its operation by Order in Council, dated 2nd February, 1842. <i>page 310.</i>	348
104	An Act for rendering a written Memorandum necessary to the validity of certain Promises and Engagements. [16th October, 1841.] Left to its operation by Order in Council, dated 2nd February, 1842. <i>page 311.</i>	352
105	An Act to prevent Frivolous Suits in the Supreme Court of Judicature. [1st February, 1842.] Left to its operation by Order in Council, dated 3rd June, 1842. <i>page 312.</i>	353
106	An Act to authorize the enrolment in the Register's Office of this Island, of Copies of the Charter and Supplemental Charter	354

NO. IN THIS VOLUME.	TABLE OF ACTS.	NO. IN OFFICE OF SECRETARY OF STATE.
	of the Colonial Bank, and to render the same, or certified Copies thereof, legal evidence. [27th August, 1842.] Left to its operation by Order in Council, dated 1st February, 1843. <i>page 313.</i>	
107	An Act to declare examined copies, certified by the Register of Grenada, of a certain Charter, or Letters Patent, granted to the "West India Bank," legal evidence. [27th August, 1842.] Left to its operation by Order in Council, dated 1st February, 1843. <i>page 315.</i>	355
108	An Act to establish a Company of Firemen, and to regulate the same. [18th January, 1843.] Left to its operation by Order in Council, dated 3rd April, 1843. <i>page 315.</i>	357
109	An Act to prevent a failure of Justice by reason of Variances between Records and Writings, produced in evidence in support thereof. [2nd February, 1843.] Left to its operation by Order in Council, dated 10th June, 1843. <i>page 316.</i>	359
110	An Act for the more effectual prevention of Vexatious Arrests, and Suits, and to regulate the practice of Arrests in certain cases. [2nd February, 1843.] Left to its operation by Order in Council, dated 10th June, 1843. <i>page 317.</i>	358
111	An Act for taking away the punishment of Death in certain cases, and substituting other Punishment in lieu thereof. [21st February, 1843.] Left to its operation by Order in Council, dated 23rd August, 1843. <i>page 319.</i>	360
112	An Act to repeal the several Acts at present in force in this Colony, for the regulation of Markets and to substitute this Act in lieu thereof. [16th May, 1843.] Left to its operation by Order in Council, dated 23rd August, 1843. <i>page 320.</i>	362
113	An Act for assessing and ascertaining the valued rental of certain houses, stores, sheds, buildings, lots and tenements, and for granting and regulating licenses to retail spirits; to trade as a hawker, pedlar or petty chapman; to carry on the business of an auctioneer; and to possess certain boats and canoes, respectively. [20th June, 1843.]—Left to its operation by Order in Council, dated 2nd October, 1843. <i>page 324.</i>	364
114	An Act to define and determine the extent of the privilege of the Members of the Council and Assembly of these Islands and their respective officers, in respect to the exemption of such Members and Officers from Arrest. [July 28, 1843.]—Left to its operation by Order in Council, dated 2nd October, 1843. <i>page 333.</i>	366
115	An Act to amend the Laws relating to Burglary, and Stealing in a Dwelling House. [December 12, 1843.]—Left to its operation by Order in Council, dated 17th April, 1844. <i>page 334.</i>	368
116	An Act to amend the Laws relating to Offences against the Person. [December 12, 1843.]—Left to its operation by Order in Council, dated 17th April, 1844. <i>page 335.</i>	367
117	An Act to amend the Law relating to Jurors and Juries. [12th December, 1843.]—Left to its operation by order in Council, dated 23rd May, 1844. <i>page 337.</i>	369
118	An Act for taking an Account of the Population of Grenada and its Dependencies. [13th May, 1844.]—Left to its operation by Order in Council, dated 28th November, 1844. <i>page 340.</i>	373
119	An Act to amend the Law as to the Distribution of the	

NO. IN THIS VOLUME.	TABLE OF ACTS.	NO. IN OFFICE OF SECRETARY OF STATE.
	Pews in the Parish Church of Saint George. [15th October, 1844.] Left to its operation by Order in Council, dated 3rd February, 1845. <i>page 340.</i>	
120	An Act to amend the Laws relating to Robbery and Stealing from the Person. [12th November, 1844.] Left to its operation by Order in Council, dated 26th April, 1845. <i>page 342.</i>	376
121	An Act for the more speedy trial of offences committed on the High Seas, within the Jurisdiction of the Admiralty of England, and within three miles of the land of Grenada. [November 12, 1844.] Left to its operation by Order in Council, dated 26th April, 1845. <i>page 343.</i>	375
122	An Act to enable the Commissioners for trying offences upon the Sea, and Justices of the Peace, to take examinations touching such offences, and to commit to safe custody Persons charged therewith. [November 12, 1844.] Left to its operation by Order in Council, dated 26th April, 1845. <i>page 345.</i>	374
123	An Act to authorize the employment of certain prisoners within or without the walls of the Gaol. [November 28, 1844.] Left to its operation by Order in Council, dated 26th April, 1845. <i>page 345.</i>	377
124	An Act for the limitation of Actions and Suits relating to Real Property, and for simplifying the remedies for trying the rights thereto. [30th April, 1845.] Left to its operation by Order in Council, dated 13th September, 1845. <i>page 347.</i>	382
125	An Act for improving the Law of Evidence. [30th April, 1845.] Left to its operation by Order in Council, dated 13th September, 1845. <i>page 354.</i>	381
126	An Act to amend the Law respecting the apportionment of rents, annuities and other periodical payments. [30th April, 1845.] Left to its operation by Order in Council, dated 13th September, 1845. <i>page 355.</i>	380
127	An Act to simplify the transfer of Property. [2nd May, 1845.] Left to its operation by Order in Council, dated 13th September, 1845. <i>page 356.</i>	383
128	An Act to amend an Act, for assessing and ascertaining the valued rental of certain Houses, Stores, Sheds, Buildings, Lots and Tenements. [10th June, 1845.] Left to its operation by Order in Council, dated 20th November, 1845. <i>page 359.</i>	384
129	An Act for enabling Courts to abstain from pronouncing Sentence of Death in certain Capital Felonies. [15th September, 1845.] Left to its operation by Order in Council, dated 21st January, 1846. <i>page 359.</i>	386
130	An Act against Fraudulent Deeds, Alienations, and Gifts, [29th September, 1845.] Left to its operation by Order in Council, dated 21st January, 1846. <i>page 359.</i>	387
131	An Act for shortening the time of prescription in certain cases. [11th November, 1845.] Left to its operation by Order in Council, dated 30th January, 1846. <i>page 360.</i>	388
132	An Act for granting an Aid to Her Majesty, to be applied for the purposes of Immigration. [12th December, 1845.] <i>page 362.</i>	389
133	An Act to repeal certain parts of the Market Act so far as relates to the selling of Meat and Fish on the Sabbath-day.	393

NO. IN THIS VOLUME.	TABLE OF ACTS.	NO. IN OFFICE OF SECRETARY OF STATE.
	[<i>March</i> 18, 1846.] Left to its operation by Order in Council, dated 6th July, 1846. <i>page</i> 368.	
134	An Act to amend and to reduce into one Act, the Acts now in force for the amendment and preservation of the Public Highways in Grenada and Carriacou. [<i>March</i> 18, 1846.] Left to its operation by Order in Council, dated 6th July, 1846. <i>page</i> 369.	392
135	An Act to alter and amend an Act, intituled, "An Act to promote and encourage Steam Navigation between this Island and Great Britain, for conveyance of mails and passengers. [<i>July</i> 11, 1846.] Left to its operation by Order in Council, dated 19th December, 1846. <i>page</i> 390.	402
136	An Act for further improving the Police. [<i>28th July</i> , 1846.] Left to its operation by Order in Council, dated 27th February, 1847. <i>page</i> 391.	405
137	An Act for extending the remedies of Creditors against the property of Debtors, and for amending the Law in reference to Executions. [<i>28th July</i> , 1846.] Left to its operation by Order in Council, dated 19th December, 1846. <i>page</i> 399.	403
138	An Act to provide for the repairs of Public Byeways. [<i>25th July</i> , 1846.] Left to its operation by Order in Council, dated 19th December 1846. <i>page</i> 403.	404
139	An Act to continue an Act for granting an aid to Her Majesty, to be applied for the purposes of Immigration; to grant a bounty on the importation of certain agricultural laborers into Grenada, and to make provision for defraying the expences of conveying captured Africans to Grenada, and for their support and maintenance there, until location. [<i>26th August</i> , 1846.] Left to its operation by Order in Council, dated 27th February, 1847. <i>page</i> 404.	407
140	An Act for the appointment of a Police Magistrate for the Town and Parish of St. George, and for further improving the Police. [<i>22nd September</i> , 1846.] Left to its operation by Order in Council, dated 27th February, 1847. <i>page</i> 406.	408
141	An Act for regulating the relative rights and duties of Masters and Servants. [<i>12th January</i> , 1847.] Left to its operation by Order in Council, dated 24th April, 1847. <i>page</i> 413.	410
142	An Act to make more effectual provision for the confinement of insane persons charged with offences; for the prevention of offences by insane persons; and for the better care of pauper lunatics. [<i>10th August</i> , 1847.] Left to its operation by Order in Council, dated 30th October, 1847. <i>page</i> 418.	416
143	An Act for establishing a Public Library and Museum in Grenada. [<i>10th August</i> , 1847.] Left to its operation by Order in Council, dated 30th October, 1847. <i>page</i> 420.	415
144	An Act to render the assignment of satisfied terms unnecessary. [<i>10th August</i> , 1847.] Left to its operation by Order in Council, dated 30th October, 1847. <i>page</i> 421.	414
145	An Act, to authorize the temporary appropriation of a part of the monies applicable to Immigration purposes, for the general use of the Colony. [<i>30th August</i> , 1847.] Left to its operation by Order in Council, dated 11th February, 1848. <i>page</i> 422.	417
146	An Act to continue the Act for granting an aid to Her	419

NO. IN THIS VOLUME.	TABLE OF ACTS.	NO. IN OFFICE OF SECRETARY OF STATE.
	Majesty, to be applied for the purposes of Immigration. [<i>6th January, 1848.</i>] Left to its operation by Order in Council, dated 15th April, 1848. <i>page 422.</i>	
147	An Act to Naturalize Joseph Orgias, Merchant, within the Island of Grenada and its Dependencies. [<i>6th May, 1848.</i>] Confirmed by Order in Council, dated 16th December, 1848. <i>page 423.</i>	420
148	An Act to fix the Salaries of the future holders of certain public offices and situations within this Colony. [<i>6th May, 1848.</i>] Left to its operation by Order in Council, dated 24th September, 1848. <i>page 423.</i>	421
149	An Act to provide a Salary for the Honourable William Darnell Davis, as Chief Justice of the Island of Grenada and its Dependencies. [<i>1st June, 1848.</i>] Left to its operation by Order in Council, dated 24th September, 1848. <i>page 423.</i>	426
150	An Act to repeal two several Acts for the appointment of certain Vestries in Grenada and Carriacou, and to substitute this Act in lieu of them. [<i>1st June, 1848.</i>] Left to its operation by Order in Council, dated 24th September, 1848. <i>page 424.</i>	425
151	An Act for repealing certain Duties of Customs. [<i>1st June, 1848.</i>] Assented to by Order in Council, dated 29th June, and such assent proclaimed in Grenada, 22nd September, 1849. <i>page 425.</i>	422
152	An Act to make certain Tonnage Duties heretofore payable to, and applicable by, the Principal Officers of Her Majesty's Customs, to be hereafter payable to, and applicable by, the Public Treasurer of Grenada. [<i>1st June, 1848.</i>] Specially confirmed by Order in Council, dated 29th June, 1849, and assent proclaimed in Grenada, 22nd September, 1849. <i>page 426.</i>	424
153	An Act to impose duties upon certain Goods, and to exempt from duty certain other Goods, upon the importation thereof into Grenada and its Dependencies; to authorize exporters of certain specific Goods imported, to have drawback or return of duty on the exportation thereof, within a certain time; and to allow certain Goods imported for transshipment to be landed duty free, on bond. [<i>1st June, 1848.</i>] Left to its operation by Order in Council, dated 29th June, 1849. <i>page 429.</i>	423
154	An Act for the appointment of a Rural Police, and for reducing the number of the present Police Establishment. [<i>3rd, July, 1848.</i>]—Left to its operation by Order in Council, dated 16th December, 1848. <i>page 439.</i>	427
155	An Act for the management of the Colonial Customs of Grenada, and for the warehousing of Goods at the port of St. George. [<i>31st July, 1848.</i>] Left to its operation by Order in Council, dated 18th July, 1849. <i>page 440.</i>	430
156	An Act to afford summary redress in cases of minor trespass. [<i>31st July, 1848.</i>] Left to its operation by Order in Council, dated 8th January, 1850. <i>page 449.</i>	429
157	An Act to repeal several Acts, and parts of Acts. [<i>30th September 1848.</i>]—Left to its operation by Order in Council, dated 31st January, 1849. <i>page 450.</i>	433
158	An Act to authorise the appropriation of part of the monies applicable to immigration purposes for the general use of the	434

NO. IN THIS VOLUME.	TABLE OF ACTS.	NO. IN OFFICE OF SECRETARY OF STATE.
	colony. [30th September 1848.]—Left to its operation by order in Council, dated 31st January, 1849. <i>page 453.</i>	
159	An Act to continue in force until the thirty-first day of December, one thousand eight hundred and forty-nine, an Act, intituled "An Act for granting an aid to Her Majesty, to be applied for the purposes of immigration." [30th September, 1848.]—Left to its operation by Order in Council, dated 31st January, 1849. <i>page 453.</i>	432
160	An Act for removing doubts respecting the liability of certain Goods to import duty. [3rd January, 1849.]—Left to its operation by Order in Council, dated 21st May, 1849. <i>page 453.</i>	436
161	An Act for appointing Thomson Hankey, the younger, of the City of London, Esquire, Agent of this colony, and for the due management of his trust. [3rd January, 1849.]—Left to its operation by Order in Council, dated 1st May, 1849. <i>page 454.</i>	435
162	An Act for the recovery of damages done by reason of trespasses by horses, mules, asses, cattle, sheep, goats, and pigs upon lands. [20th February, 1849.]—Left to its operation by Order in Council, dated 21st May, 1849. <i>page 455.</i>	437
163	An Act to repeal the third Clause of an Act, intituled, "An Act for repealing certain duties of Customs." [16th March, 1849.] confirmed by Order in Council, dated 29th June, 1849. <i>page 458.</i>	438
164	An Act for facilitating the apprehension of certain offenders escaping to this Colony, from any place within the territory or dominions of the Republic of Venezuela, in order that such offenders may be delivered up to justice. [5th April, 1849.] Left to its operation by Order in Council, dated 30th July, 1849. <i>page 458,</i> and effect given to act by Proclamation of 15th February, 1850, inserted at <i>page 460.</i>	439
165	An Act for continuing the appointment of a Police Magistrate, and to amend the Act authorizing such appointment. [11th August, 1849.]—Left to its operation by Order in Council, dated 8th January, 1850. <i>page 460.</i>	441
166	An Act to alter and amend and continue in force, until the thirty-first day of December, one thousand eight hundred and fifty, an Act, intituled, an Act for granting an aid to Her Majesty, to be applied for the purposes of Immigration. [30th November, 1849.]—Left to its operation by Order in Council, dated 19th June, 1850. <i>page 461.</i>	442
167	An Act to increase the number of Colonial Revenue Officers. [30th November, 1849.]—Left to its operation by Order in Council, dated 19th June, 1850. <i>page 462.</i>	443
168	An Act for taking away the punishment of death in certain cases, and substituting other punishments in lieu thereof. [19th March, 1850.]—Left to its operation by Order in Council, dated 13th July, 1850. <i>page 462.</i>	444
169	An Act to regulate the fees of any future Governor, Chancellor and Ordinary, and of the future holders of certain public offices and benefices in this Government, and the charges of Medical Practitioners for attending Coroners' Inquests. (5th April, 1850.)—Left to its operation by Order in Council, dated 14th August, 1850. <i>page 464.</i>	445
170	An Act to amend the Laws relating to burning or destroying	448

NO. IN THIS VOLUME.	TABLE OF ACTS.	NO. IN OFFICE OF SECRETARY OF STATE.
	Buildings and Ships. [2nd <i>May</i> , 1850.]—Left to its operation by Order in Council, dated 14th August, 1850. <i>page</i> 469.	
171	An Act to authorize the appropriation of part of the Immigration Monies. [2nd <i>May</i> , 1850.] Left to its operation by Order in Council, dated 14th August, 1850. <i>page</i> 471.	447
172	An Act to authorise the Public Treasurer to pay a sum of two hundred and fifty pounds to the Reverend Samuel Power, Roman Catholic Priest, towards the completion of the Roman Catholic Church, in the parish of St. Patrick, in Grenada. [9th <i>November</i> , 1850.]—Left to its operation by Order in Council, dated 3rd February, 1851. <i>page</i> 472.	450
173	An Act to fix the rate of, and to provide for, the payment of Sloop hire, by prosecutors, and by witnesses for the prosecution of indictments, coming from, and returning to Carriacou. [9th <i>November</i> , 1850.]—Left to its operation by Order in Council, dated 3rd February, 1851. <i>page</i> 472.	451
174	An Act to amend the Tonnage Act. [9th <i>November</i> , 1850.] Left to its operation by Order in Council, dated 3rd February, 1851. <i>page</i> 473.	449
175	An Act for procuring Annual Returns of certain objects of Property. [12th <i>December</i> , 1850.] <i>page</i> 474.	452
176	An Act to increase the number of Colonial Revenue Officers, and to constitute the Ports of Hillsborough, in Carriacou, and Grenville, in Grenada, Ports of Entry, and to provide for the management and collection of the Customs at the said Ports. [18th <i>December</i> , 1850.]—Left to its operation by Order in Council, dated 5th <i>May</i> , 1851. <i>page</i> 480.	453
177	An Act to make provision for the treatment of certain African Immigrants. [18th <i>December</i> , 1850.] Left to its operation by Order in Council, dated 14th April, 1851. <i>page</i> 482.	454
178	An Act to continue, or revive and continue, until the thirty-first day of December, one thousand eight hundred and fifty-one, and from thence until the end of the then next session of the Legislature, an Act intituled "An Act for granting an aid to Her Majesty, to be applied for the purposes of immigration," as amended by a subsequent Act, and by this Act. [27th <i>December</i> , 1850.] Left to its operation by Order in Council, dated 14th April, 1851. <i>page</i> 483.	456
179	An Act to amend the Act for the appointment of a Police Magistrate for the Town and parish of St. George, and for further improving the Police. [8th <i>January</i> , 1851.] Left to its operation by Order in Council, dated 25th June, 1851. <i>page</i> 484.	457
180	An Act to permit and regulate Appeals from the decision or adjudication of the Justices of the Peace. [13th <i>February</i> , 1851.] Left to its operation by Order in Council, dated 25th June, 1851. <i>page</i> 487.	458
181	An Act to amend the Criminal Law. [27th <i>February</i> , 1851.] Left to its operation by Order in Council, dated 25th June, 1851. <i>page</i> 489.	459
182	An Act for taking an Account of the Population of Grenada and its Dependencies. [9th <i>September</i> , 1851.] Left to its operation by Order in Council, dated 26th December, 1851. <i>page</i> 492.	461

NO. IN THIS VOLUME.	TABLE OF ACTS.	NO. IN OFFICE OF SECRETARY OF STATE.
183	An Act to render more simple and effectual the Titles by which Congregations or Societies, for purposes of Religious Worship or Education in Grenada, hold Property for such purposes. [10th November, 1851.] Left to its operation by Order in Council, dated 11th February, 1852. <i>page 492.</i>	462
184	An Act, further to continue and amend an Act, intituled, "An Act for granting an aid to Her Majesty, to be applied for the purposes of Immigration." [29th December, 1851.] Left to its operation by Order in Council, dated 15th May, 1852. <i>page 494.</i>	464
185	An Act for granting unto Her Majesty an aid, by rates, taxes, and assessments. [29th December, 1851.] Left to its operation by Order in Council, dated 5th April, 1852. <i>page 495.</i>	463
186	An Act to amend the Law in regard to the Publication of the Banns of Marriage, and to facilitate the solemnization of Marriages. [25th May, 1852.] <i>page 500.</i>	465
187	An Act to provide for the building a Bridge over the river Saint John. [25th May, 1852.] <i>page 501.</i>	466
188	An Act to encourage the introduction of Laborers from the United States of America and the British North American Provinces. [25th May, 1852.] <i>page 501.</i>	467
189	An Act for continuing the appointment of a Police magistrate. [11th Aug. 1852.] Left to its operation by Order in Council, dated 10th November, 1852. <i>page 502.</i>	468
190	An Act for granting a sum of money to the Governor and Directors of the Colony Hospital to be applied in the erection of a cottage and out-offices for the use of the Surgeon of that corporation. [11th Aug. 1852.] <i>page 503.</i>	469
191	An Act to naturalize Francis de Casta, Roman Catholic Priest, within the Island of Grenada, and its dependencies. [11th Aug. 1852.] Confirmed by Order in Council, dated 10th November, 1852. <i>page 503.</i>	470
192	An Act further to continue and amend an Act intituled "An Act for granting an Aid to Her Majesty to be applied for the purposes of Immigration." [2nd Nov. 1852.] <i>page 503.</i>	

EXTRACT from the Definitive Treaty of Peace and Friendship between His Britannic Majesty, the Most Christian King, and the King of Spain; concluded at Paris, the 10th Day of February, 1763. To which the King of Portugal acceded on the same Day.

ART. IV.

HIS Most Christian Majesty renounces all pretensions, which he has heretofore formed, or might form, to Nova Scotia or Acadia, in all its parts, and guarantees the whole of it, and with all its Dependencies, to the King of Great Britain: moreover, His Most Christian Majesty cedes and guarantees to his said Britannic Majesty, in full right, Canada, with all its Dependencies, as well as the Island of Cape Breton, and all the other Islands and Coasts in the Gulph and River St. Laurence, and, in general, every thing that depends on the said Countries, Lands, Islands and Coasts, with the Sovereignty, Property, Possession, and all Rights, acquired by Treaty or otherwise, which the Most Christian King, and the Crown of France, have had till now over the said Countries, Islands, Lands, Places, Coasts, and their Inhabitants, so that the Most Christian King cedes and makes over the whole to the said King, and to the Crown of Great Britain, and that in the most ample manner and form, without restriction, and without any liberty to depart from the said Cession and Guaranty, under any pretence, or to disturb Great Britain in the Possessions above-mentioned. His Britannic Majesty, on his side, agrees to grant the Liberty of the Catholic Religion to the Inhabitants of Canada: he will consequently give the most precise and most effectual Orders, that his new Roman Catholic Subjects may profess the Worship of their Religion, according to the Rites of the Romish Church, as far as the Laws of Great Britain permit. His Britannic Majesty further agrees, that the French Inhabitants, or others who had been Subjects of the most Christian King in Canada, may retire, with all Safety and Freedom, wherever they shall think proper, and may sell their Estates, provided it be to subjects of His Britannic Majesty, and bring away their Effects, as well as their Persons, without being restrained in their Emigration, under any pretence whatsoever, except that of Debts, or of Criminal Prosecutions: the Term limited for this Emigration shall be fixed to the Space of Eighteen Months, to be computed from the Day of the Exchange of the Ratifications of the present Treaty.

ART. IX.

THE Most Christian King cedes and guarantees to His Britannic Majesty, in full Right, the Islands of Grenada, and of the Grenadines, with the same Stipulations in favour of the Inhabitants of this Colony, inserted in the fourth Article for those of Canada: and the Partition of the Islands, called Neutral, is agreed and fixed, so that those of St. Vincent, Dominica, and Tobago, shall remain in full right to Great Britain, and that of St. Lucia shall be delivered to France, to enjoy the same likewise in full right; and the high contracting Parties guarantee the partition so stipulated.

ART. XXII.

ALL the Papers, Letters, Documents, and Archives, which were found in the Countries, Territories, Towns, and Places, that are restored, and those belonging to the Countries ceded, shall be respectively and *bond fide* delivered, or furnished, at the same time, if possible, that Possession is taken, or, at latest, four months after the Exchange of the Ratifications of the present Treaty, in whatever Places the said Papers or Documents may be found.

ART. XXVI.

THEIR Sacred Britannic, Most Christian, Catholic, and Most Faithful Majesties, promise to observe sincerely and *bond fide*, all the Articles contained and settled in the present Treaty; and they will not suffer the same to be infringed, directly or indirectly, by their respective Subjects; and the said High Contracting Parties, generally and reciprocally, guarantee to each other all the Stipulations of the present Treaty.

xxx



BY THE KING :

A PROCLAMATION.

GEORGE R.

WHEREAS, We have taken into Our Royal Consideration, the extensive and valuable Acquisitions in America, secured to Our Crown, by the late Definitive Treaty of Peace, concluded at Paris, the 10th day of February last ; And being desirous that all Our loving Subjects, as well of Our Kingdoms as of Our Colonies in America, may avail themselves, with all convenient Speed, of the great Benefits and Advantages, which must accrue therefrom to their Commerce, Manufactures, and Navigation ; We have thought fit, with the advice of Our Privy Council, to issue this Our Royal Proclamation, hereby to publish and declare to all Our loving Subjects, that We have, with the advice of Our said Privy Council, granted Our Letters Patent, under Our Great Seal of Great Britain, to erect within the Countries and Islands ceded and confirmed to Us, by the said Treaty, Four distinct and separate Governments, stiled and called by the names of Quebec, East Florida, West Florida, and Grenada ; and limited and bounded as follows, viz. :—

First—The Government of Quebec ; bounded on the Labrador Coast by the River St. John, and from thence, by a Line from the Head of that River, through the Lake St. John, to the South End of the Lake Nipissim ; from whence the said Line, crossing the River St. Lawrence and the Lake Champlain, in 45 Degrees of North Latitude, passes along the High Lands which divide the Rivers that empty themselves into the said River St. Lawrence, from those which fall into the Sea ; and also along the North Coast of the Baye des Chaleurs, and the Coast of the Gulf of St. Lawrence, to Cape Rosieres, and from thence crossing the Mouth of the River St. Lawrence, by the West End of the Island of Anticosti, terminates at the aforesaid River of St. John.

Secondly—The Government of East Florida ; bounded to the Westward by the Gulf of Mexico and the Apalachicola River ; to the Northward, by a Line drawn from that part of the said River where the Chalahouchee and Flint Rivers meet, to the Source of St. Mary River, and by the Course of the said River to the Atlantic Ocean ; and to the Eastward and Southward by the Atlantic Ocean, and the Gulf of Florida, including all Islands within Six Leagues of the Sea Coast.

Thirdly—The Government of West Florida ; bounded to the Southward by the Gulf of Mexico, including all Islands within Six Leagues of the Coast, from the River Apalachicola, to Lake Ponchartrain ; to the Westward, by the said Lake, the Lake Maurepas, and the River Mississippi ; to the Northward, by a Line drawn due East from that Part of the River Mississippi, which lies in 31 Degrees North Latitude, to the River Apalachicola or Chatahouchee ; and to the Eastward, by the said River.

Fourthly—The Government of Grenada comprehending the Island of that Name, together with the Grenadines, and the Islands of Dominica, St. Vincent, and Tobago.

And, to the End that the open and free Fishery of Our Subjects may be extended to and carried on upon the Coast of Labrador, and the adjacent Islands, We have thought fit, with the advice of Our said Privy Council, to put all that Coast, from the River St. John's to Hudson's Straights, together with the Islands of Anticosti and Madelaine, and all other smaller Islands, lying upon the said Coast, under the Care and Inspection of Our Governor of Newfoundland.

We have also, with the advice of Our Privy Council, thought fit to annex the Islands of St. John's and Cape Breton, or Isle Royale, with the lesser Islands adjacent thereto, to Our Government of Nova Scotia.

We have also, with the advice of Our Privy Council aforesaid, annexed to Our Province of Georgia, all the Lands lying between the Rivers Altamaha and St. Mary's.

And whereas it will greatly contribute to the speedy settling Our said new Governments, that Our loving Subjects should be informed of Our paternal Care for the Security of the Liberties and Properties of those, who are and shall become Inhabitants thereof; We have thought fit to publish and declare, by this Our Proclamation, that We have in the Letters Patent, under our Great Seal of Great Britain, by which the said Governments are constituted, given express Power and Direction to Our Governors of Our said Colonies respectively, that so soon as the State and Circumstances of the said Colonies will admit thereof, they shall, with the Advice and Consent of the Members of Our Council, summon and call General Assemblies, within the said Governments respectively, in such Manner and Form as is used and directed in those Colonies and Provinces in America, which are under Our immediate Government; and We have also given Power to the said Governors, with the Consent of Our said Councils, and the Representatives of the People so to be summoned as aforesaid, to make, constitute, and ordain, Laws, Statutes, and Ordinances for the public Peace, Welfare, and good Government of Our said Colonies, and of the People and Inhabitants thereof, as near as may be agreeable to the Laws of England, and under such Regulations and Restrictions as are used in other Colonies; and, in the mean Time, and until such Assemblies can be called as aforesaid, all Persons inhabiting in or resorting to Our said Colonies, may confide in Our Royal Protection, for the Enjoyment of the Benefit of the Laws of Our Realm of England; for which Purpose, We have given Power under Our Great Seal, to the Governors of Our said Colonies respectively, to erect and constitute, with the Advice of Our said Councils respectively, Courts of Judicature and public Justice, within Our said Colonies, for the hearing and determining all Causes, as well Criminal as Civil, according to Law and Equity, and as near as may be agreeable to the Laws of England, with Liberty to all Persons who may think themselves aggrieved by the Sentences of such Courts, in all Civil Cases, to appeal, under the usual Limitations and Restrictions, to Us, in Our Privy Council.

We have also thought fit, with the Advice of Our Privy Council as aforesaid, to give unto the Governors and Councils of Our said Three new Colonies upon the Continent, full Power and Authority to settle and agree with the Inhabitants of Our said new Colonies, or with any other Persons who shall resort thereto, for such Lands, Tenements, and Hereditaments, as are now, or hereafter shall be in Our Power to dispose of, and them to grant to any such Person or Persons, upon such Terms, and under such moderate Quit Rents, Services, and Acknowledgments, as have been appointed and settled in Our other Colonies,

and under such other Conditions as shall appear to Us to be necessary and expedient for the Advantage of the Grantees, and the Improvement and Settlement of Our said Colonies.

And whereas We are desirous, upon all Occasions, to testify Our Royal Sense and Approbation of the Conduct and Bravery of the Officers and Soldiers of Our Armies, and to reward the Same, We do hereby command and empower Our Governors of Our said Three new Colonies, and all other Our Governors of Our several Provinces on the Continent of North America, to grant, without Fee or Reward, to such reduced Officers as have served in North America, during the late War, and to such Private Soldiers as have been or shall be disbanded in America, and are actually residing there, and shall personally apply for the Same, the following Quantities of Lands, subject, at the Expiration of Ten Years, to the same Quit Rents as other Lands are subject to, in the Province within which they are granted, as also subject to the same Conditions of Cultivation and Improvement, viz.—

To every Person, having the Rank of a Field Officer, 5,000 Acres.

To every Captain, 3,000 Acres.

To every Subaltern or Staff Officer, 2,000 Acres.

To every Non-Commissioned Officer, 200 Acres.

To every Private Man, 50 Acres.

We do likewise authorize and require the Governors and Commanders in Chief of all Our said Colonies upon the Continent of North America, to grant the like Quantities of Land, and upon the same Conditions, to such reduced Officers of Our Navy, of like Rank, as served on Board Our Ships of War in North America, at the Times of the Reduction of Louisbourg and Quebec, in the late War, and who shall personally apply to Our respective Governors for such Grants.

And whereas it is just and reasonable, and essential to Our Interest, and the Security of Our Colonies, that the several Nations or Tribes of Indians, with whom We are connected, and who live under Our Protection, should not be molested or disturbed in the Possession of such Parts of Our Dominions and Territories as, not having been ceded to or purchased by Us, are reserved to them or any of them, as their Hunting Grounds, We do therefore, with the Advice of Our Privy Council, declare it to be Our Royal Will and Pleasure, that no Governor or Commander in Chief in any of Our Colonies of Quebec, East Florida, or West Florida, do presume, upon any Pretence whatever to grant Warrants of Survey, or pass any Patents for Lands beyond the Bounds of their respective Governments, as described in their Commissions; as also, that no Governor or Commander in Chief, in any of Our other Colonies or Plantations in America, do presume, for the present, and until our further Pleasure be known, to grant Warrants of Survey, or pass Patents for any Lands beyond the Heads or Sources of any of the Rivers which fall into the Atlantic Ocean, from the West and Northwest; or upon any Lands whatever, which not having been ceded to or purchased by Us as aforesaid, are reserved to the said Indians, or any of them.

And we do further declare it to be Our Royal Will and Pleasure, for the present as aforesaid, to reserve under Our Sovereignty, Protection and Dominion, for the Use of the said Indians, all the Lands and Territories, not included within the Limits of Our said Three new Governments, or within the Limits of the Territory granted to the Hudson's Bay Company; as also all the Lands and Territories lying to the Westward of the Sources of the Rivers which fall into the Sea, from the West and Northwest as aforesaid; and We do hereby strictly forbid, on pain of Our Displeasure, all Our loving Subjects from making any Purchases or Settlements whatever, or taking Possession of any of the

Lands above reserved, without Our especial Leave and Licence, for that Purpose first obtained.

And, We do further strictly enjoin and require all Persons whatever, who have either wilfully or inadvertently seated themselves upon any Lands, within the Countries above described, or upon any other Lands, which, not having been ceded to or purchased by Us, are still reserved to the said Indians as aforesaid, forthwith to remove themselves from such Settlements.

And whereas great Frauds and Abuses have been committed in the purchasing Lands of the Indians, to the great Prejudice of Our Interests, and to the great Dissatisfaction of the said Indians: In order, therefore, to prevent such Irregularities for the future, and to the End that the Indians may be convinced of Our Justice and determined Resolution to remove all reasonable Cause of Discontent, We do, with the Advice of Our Privy Council, strictly enjoin and require that no private Person do presume to make any Purchase from the said Indians of any Lands, reserved to the said Indians, within those Parts of Our Colonies, where we have thought proper to allow Settlement; but that if, at any Time, any of the said Indians should be inclined to dispose of the said Lands, the Same shall be purchased only for Us in Our Name, at some public Meeting or Assembly of the said Indians, to be held for that Purpose, by the Governor or Commander in Chief of our Colonies respectively, within which they shall lie: And in case they shall lie within the Limits of any Proprietary Government, they shall be purchased only for the Use, and in the Name of such Proprietaries, conformable to such Directions and Instructions as We or they shall think proper to give for that Purpose. And, We do, by the Advice of Our Privy Council, declare and enjoin that the Trade with the said Indians shall be free and open to all Our Subjects whatever; Provided, that every Person, who may incline to Trade with the said Indians, do take out a License for carrying on such Trade, from the Governor or Commander in Chief of any of Our Colonies respectively, where such Person shall reside, and also give Security to observe such Regulations as We shall, at any Time, think fit, by Ourselves, or by Our Commissaries to be appointed for this Purpose, to direct and appoint for the Benefit of the said Trade: And, We do hereby authorize, enjoin, and require the Governors and Commanders in Chief of all Our Colonies respectively, as well those under Our immediate Government, as those under the Government and Direction of Proprietaries, to grant such Licenses without Fee or Reward, taking especial Care to insert therein a Condition, that such Licence shall be void, and the Security forfeited, in Case the Person, to whom the Same is granted, shall refuse or neglect to observe such Regulations as We shall think proper to prescribe as aforesaid.

And, We do further expressly enjoin and require all Officers whatever, as well Military as those employed in the Management and Direction of Indian Affairs, within the Territories reserved as aforesaid, for the Use of the said Indians, to seize and apprehend all Persons whatever, who, standing charged with Treasons, Misprisions of Treason, Murders, or other Felonies or Misdemeanors, shall fly from Justice, and take Refuge in the said Territory, and to send them under a proper Guard to the Colony where the Crime was committed, of which they stand accused, in order to take their Trial for the Same.

Given at Our Court at St. James's, the 7th day of October, 1763, in the Third Year of Our Reign.

GOD SAVE THE KING.

A PROCLAMATION.

GEORGE THE THIRD, by the Grace of God, of Great Britain, France and Ireland, King, Defender of the Faith, &c. &c. &c.

To all Our loving Subjects, whom these Presents shall or may concern.

WHEREAS We have, by Our Royal Proclamation, given at Our Court at St. James's, the Seventh Day of October, One Thousand Seven Hundred and Sixty-three, and in the Third Year of Our Reign, divided our extensive and valuable Acquisitions in America, secured to Our Crown by the late Definitive Treaty of Peace, concluded at Paris the Tenth Day of February then last past, into Four Distinct Governments, styled and called by the names of Quebec, East Florida, West Florida, and Grenada ; and having taken into our Royal Consideration, how greatly it would contribute to the speedy Settling our said new Governments, that Our loving Subjects should be informed of Our paternal Care for the Security of the Liberties and Properties of those who then were and should become Inhabitants thereof, We did think fit to publish and declare by that Our Proclamation, that We had in the Letters Patent, under Our Great Seal of Great Britain, by which the said Governments were constituted, given express Power and Direction to Our Governors of our said Colonies respectively, that so soon as the State and Circumstances of the said Colonies would admit thereof, they should, by and with the Advice of the Members of our Council, summon and call General Assemblies within the said Governments respectively, in such Manner and Form as is directed in those Colonies and Provinces in America, which were under Our immediate Government ; and We had also given Power to the said Governors, with the Consent of Our said Councils and the Representatives of the People, so to be summoned as aforesaid, to make, constitute, and ordain, Laws, Statutes, and Ordinances, for the public Peace, Welfare, and good Government of Our said Colonies, and of the People and Inhabitants thereof, as were or might be agreeable to the Laws of England, under such Regulations and Restrictions as are used in other Our Colonies ; and in the mean time, and until such Assemblies could be called as aforesaid, all Persons inhabiting in, or resorting to, Our said Colonies, might confide in Our Royal Protection, for the Enjoyment of the Benefit of the Laws of the Realm of England, for which purpose We had given Power under Our Great Seal, to the Governors of Our said Colonies respectively, to erect and constitute, with the Advice of our said Councils respectively, Courts of Judicature and Public Justice within Our said Colonies, for the Hearing and Determining all Causes, as well Criminal as Civil, according to Law and Equity, and as near as might be agreeable to the Laws of England, with Liberty to all Persons who might think themselves aggrieved by the Sentences of such Courts, in all Civil Cases, to appeal, under the usual Limitations and Restrictions, to Us in Our Privy Council.

A PROCLAMATION.

XXXV

And whereas We have been given to understand, that through some doubt of the Intention of Our said Proclamation, Courts do still subsist in this Island of Grenada, wherein Methods of Determining Property and Administering Justice, not founded or regulated by the Happy Constitution of Our Kingdom, do still prevail, and being graciously pleased to extend the Benefit of the Laws of England to Our new adopted Subjects, as well as to those born under Our Allegiance, and to make both the equal Objects of Our paternal Care, We have therefore thought fit, with the Advice of Our Captain General ROBERT MELVILL, Esquire, Governor in Chief in and over the Southern Charibbee Islands of Grenada, the Grenadines, Dominico, St. Vincent, and Tobago, in America; and of all other Our Islands and Territories adjacent thereto, and which now are, or heretofore have been, dependent thereupon, &c. &c. &c. and Our said Council, to issue this Our Royal Proclamation, hereby to publish and declare to all Our loving Subjects, that the Laws of Great Britain are in force in this Island, as far as the Nature and Circumstances of the Colony will permit; and that all other Jurisdictions, Offices, Commissions and Proceedings for the future, not founded on those Our Laws of England, are hereby declared to be absolutely determined, utterly void, and totally abolished.

And We do further declare it, to be Our Will and Pleasure, and do hereby strictly enjoin and require it, that all who have been, and now are, Notaries in this Island, forthwith upon the Publication of this Proclamation, shall collect all Patents, Grants, Plans, Surveys, and Conveyances of all kinds, Mortgages, Marriage Contracts, Last Wills, and all Deeds, Papers, and Instruments of Writing whatsoever, that have been considered as Records in their several Offices, and arrange them according to their Nature, in separate Bundles, inclosed in Inventories mentioning each Paper contained in each respective Bundle, and deliver them into the Register's Office of this Our Island of Grenada, within two Calendar Months from the Date hereof.

And We do hereby forbid all Persons whatsoever, to presume to act in Opposition to Our Declaration hereby published, under Pain of Our highest Displeasure.

Witness : ROBERT MELVILL, Esquire, Our Captain General and Governor in Chief in and over the Southern Charibbee Islands of Grenada, the Grenadines, Dominico, St. Vincent's, and Tobago, in America, and all other Our Islands and Territories adjacent thereto, and which now are, or heretofore have been dependent thereupon, &c. &c. &c.

Given at Our Town of Fort Royal, the Nineteenth Day of December, in the Year of Our Lord One Thousand Seven Hundred and Sixty-four, and in the Fifth Year of Our Reign.

ROBERT MELVILL.

By His Excellency's Command,

ALEXANDER SYMPSON.

GOD SAVE THE KING.

EXTRACT from the Definitive Treaty of Peace and Friendship, between His *Britannic* Majesty, and the Most *Christian* King; signed at Versailles the 3rd of September, 1783.

ART. VII.

THE King of Great Britain restores to France the Island of St. Lucia, in the condition it was in when it was conquered by the British Arms: and His *Britannic* Majesty cedes and guarantees to His Most *Christian* Majesty the Island of Tobago. The Protestant Inhabitants of the said Islands, as well as those of the same Religion who shall have settled at St. Lucia, whilst that Island was occupied by the British Arms, shall not be molested in the Exercise of their worship: and the British Inhabitants, or others who may have been Subjects of the King of Great Britain in the aforesaid Islands, shall retain their Possessions upon the same Titles and Conditions by which they have acquired them; or else they may retire in full security and liberty, where they shall think fit, and shall have the power of selling their Estates, provided it be to Subjects of His Most *Christian* Majesty, and of removing their Effects, as well as their Persons, without being restrained in their Emigration under any pretence whatsoever, except on account of Debts, or of Criminal Prosecutions. The Term limited for this Emigration is fixed to the Space of Eighteen Months, to be computed from the Day of the Exchange of the Ratifications of the present Treaty. And for the better Securing the Possessions of the Inhabitants of the aforesaid Island of Tobago, the Most *Christian* King shall issue Letters Patent, containing an Abolition of the *Droit d'Aubaine* in the said Island.

ART. VIII.

THE Most *Christian* King restores to Great Britain the Islands of Grenada, and the Grenadines, St. Vincent's, Dominica, St. Christopher's, Nevis, and Montserrat; and the Fortresses of these Islands shall be delivered up in the condition they were in when the Conquest of them was made. The same Stipulations inserted in the preceding Article shall take Place in favour of the French Subjects, with respect to the Islands enumerated in the present Article.

ART. XXII.

FOR preventing the revival of the Law-suits which have been ended in the Islands conquered by either of the High Contracting Parties, it is agreed, that the Judgments pronounced in the last resort, and which have acquired the force of matters determined, shall be confirmed and executed according to their form and tenor.

ART. XXIII.

THEIR *Britannic* and Most *Christian* Majesties promise to observe sincerely, and *bond fide*, all the Articles contained and established in the present Treaty; and they will not suffer the same to be infringed, directly or indirectly, by their respective Subjects: and the said High Contracting Parties guarantee to each other, generally and reciprocally, all the Stipulations of the present Treaty.

THE
LAWS OF GRENADA,

&c. &c.

No. I.

An Act to ascertain the Rate of Interest, and for settling the Damages on Bills of Exchange legally Protested. [Dec. 1, 1766.]

His Majesty having been graciously pleased, by Letters Patent under the Great Seal of Great Britain, by which the Government of these Islands is constituted, and signified by His Royal Proclamation, bearing date the seventh day of October, in the year of our Lord one thousand seven hundred and sixty-three, to establish and confirm to this Colony, the Laws and Statutes of the Kingdom of Great Britain, until the state and circumstances thereof rendered it convenient to complete a Legislature therein, by an Assembly of Representatives : Preamble.

And whereas the Rate of Interest established in Great Britain, may not be thought sufficient to induce Merchants or other Persons to lend and advance such Sums of Money as the Inhabitants of this Colony may require, for the more speedy and effectual improvement of their Estates.

To the end, therefore, that Persons possessed of Money, may be encouraged to lend, and the Colony in general be more speedily and effectually improved by the use thereof ;

Be it enacted and ordained, by Your Majesty's most dutiful, loyal, and obedient Subjects, the Governor in Chief of Your Majesty's *Southern Charibbee Islands of Grenada, the Grenadines, Dominica, St. Vincent, and Tobago*, the General Council thereof, and the Assembly of these Your Majesty's Islands of *Grenada*, and the *Grenadines* ; And it is hereby enacted and ordained by the Authority of the same, That it shall and may be lawful, to and for all and every Person or Persons, one month after the Publication of this Act, to take, accept, and receive upon any Contract which shall be made one month after the Publication of this Act, for Loan of any Money, Wares, Merchandizes, or other Commodities whatsoever, the value of Six Pounds for the forbearance of one hundred pounds for one year, and so after that rate for a greater or lesser Sum, or for a longer or shorter time. Clause I.
£6. per Cent. Interest.

And be it further enacted, and ordained by the Authority aforesaid, That no Person or Persons whatsoever, one month after the Publication of this Act, upon any Contract which shall be made one month after the Publication of this Act, [take] directly or indirectly, for Loan of any Money, Wares, Merchandizes, or other Commodities whatsoever, above the value of Six Pounds for the forbearance of One Hundred Pounds, Clause II.
Contracts for above
£6. per Cent. void.*

* See No. 24, Clause XLIII. by which £5. per Cent. is allowed on Monies lent by persons in England, &c.

Forfeiture.	for one year, and so after that rate for a greater or lesser Sum, or for a longer or shorter time ; and that all Bonds, Contracts, and Assurances, whatsoever, made after the time aforesaid, for payment of any Principal, or Money to be lent, or covenanted to be performed upon, or for any Usury, whereupon, or whereby there shall be reserved or taken above the Rate of Six Pounds in the Hundred, as aforesaid, shall be utterly void ; and that all and every Person or Persons, whatsoever, which shall, after the time aforesaid, upon any Contract to be made, one month after the Publication of this Act, take, accept, and receive by way or means of any corrupt Bargain, Loan, Exchange, Chevezance, Shift, or Interest of any Wares, Merchandizes, or other thing or things whatsoever, or by any deceitful way or means, or by any covin, engine, or deceitful conveyance for the forbearance or giving day of payment, for one whole year, of and for their Money, or other Things, above the Sum of Six Pounds for the forbearance of One Hundred Pounds, for a year, and so after that rate, for a greater or lesser Sum, or for a longer or shorter time, shall forfeit and lose, for every such offence, the treble value of the Monies, Wares, Merchandizes, and other Things so lent, bargained, exchanged, or shifted.
Clause III.	And be it further enacted, by the Authority aforesaid, That all and every Scriviner and Scriviners, Broker and Brokers, Solicitor and Solicitors, Driver and Drivers of Bargains for Contracts, who shall one month after the Publication of this Act, take or receive, directly or indirectly, any Sum or Sums of Money, or Reward, or Things for Brokerage, soliciting, driving, or procuring the Loan, or Forbearing of any Sum or Sums of Money, over and above the rate or value of Five Shillings, for the Loan, or Forbearing of One Hundred Pounds for a year, and so ratably, or above Three Shillings Current Money of this Island, for making or renewing of the Bond or Bill, for Loan or Forbearing thereof, or for any Counter Bond or Bill, concerning the same, shall forfeit for every offence, Thirty Pounds Current Money of this Island, with Costs of Suit, and suffer Imprisonment for half a year ; and one moiety of all the aforesaid Forfeitures to be to the Prosecutor, the other to the King's Most Excellent Majesty, his Heirs and Successors, to be paid into the hands of the Treasurer of these Islands, for the time being, for the Public Uses thereof, to be recovered in the Courts of <i>King's-Bench</i> and <i>Common Pleas</i> , or <i>Exchequer</i> , to be held for these Islands ; or before Justices of the Peace in their Sessions, or before Justices of <i>Oyer and Terminer</i> , or Justices of <i>Gaol Delivery</i> , within these Islands, by Action of Debt, Bill, Plaint, or Information, in which no <i>Essoin</i> , <i>Wager of Law</i> , or Protection, shall be allowed.
Procurage 5s. per Cent. 3s. for the Bond.	
Forfeitures.	
Clause IV. Bills of Exchange returned with Protest, how recoverable.	And be it further enacted and ordained, by the Authority aforesaid, that when any Bill or Bills of Exchange hath been, or shall be returned, legally protested in <i>Great-Britain</i> or elsewhere in <i>Europe</i> , to the prejudice of any Merchant, Trader, or other Person whatsoever, it shall and may be lawful, to and for any person so aggrieved or damaged thereby, to commence any action upon the case against the Drawer or Indorser of such Bill or Bills of Exchange, and shall recover upon any such action, Interest, after the rate already limited and expressed in this Act, and also damages, after the rate of Ten pounds for every Hundred pounds ; the Interest to be computed from the day of the protest of the said Bill, until the same shall be recovered or satisfied.
£6. per Cent. Interest.	
£10. per Cent. damages.	

No. II.

Amended by Act No. 7. An Act for establishing and regulating a Register's Office. [April 20, 1767.]

Preamble. WHEREAS the Purchasers of Plantations in these Islands have had occasion to borrow large Sums of Money for the Improvement thereof: And

whereas Lands and Tenements may be so secretly transferred from one to another, that such as are ill-disposed may commit Frauds, by which Persons who have generously lent and advanced their Money on such Security of such Estates, may be utterly ruined by prior and secret Conveyances and fraudulent Incumbrances; for prevention thereof, Be it enacted, By your Majesty's most dutiful, loyal, and obedient Subjects, the Captain-General and Governor-in-Chief of the *Southern Charibbee Islands of Grenada and the Grenadines, Dominica, St. Vincent and Tobago*, the Honorable the Members of his Majesty's Council, and the General Assembly of these your Majesty's Islands of Grenada and the Grenadines, *That from and immediately after the Publication of this Act, all Deeds, Conveyances, and other Instruments of Writing, of and relating to, and whereby any Lands or Tenements in the said Island of Grenada and the Grenadines, may be any ways affected, either in Law or Equity, shall be duly entered and recorded in the Register's Office of the said Island of Grenada within One Month after the making and executing the same: And all such Deeds so passed and not recorded in the time aforesaid, shall be utterly void to all Intents, Constructions, and Purposes, and not pleadable in any Court or Courts of Law or Equity, in this Island or elsewhere: Provided, such Deed or Conveyance be made in the said Island of Grenada or the Grenadines; but if such Deed or Conveyance shall be made and executed in any of the neighbouring Islands, other than the Islands aforesaid, then the same shall be recorded in Three Months, and if in North America within Six Months, and if in the Island of Jamaica, or any part of Europe, within Twelve Months after the making and executing thereof; and if not recorded in the Times aforesaid respectively, shall be utterly void, to all Intents Constructions, and Purposes whatsoever, and not pleadable in any Court or Courts of Law or Equity in these Islands, or elsewhere; unless such Deed or Conveyance made in the neighbouring Islands, North America, Jamaica, or Europe, be lost at Sea, or otherwise intercepted within the said Term, and that such Interception or Loss, be made out by sufficient Authority, Certificates, or Evidences.*

Clause 1.

Deeds, Conveyances, &c. to be recorded within One Month after executing the same.

Vide Act, No. 13.

Otherwise shall be void and not pleadable, &c.

Proviso.

Deed, &c. executed in other Islands, &c. in what time to be recorded.

Exception.

Provided always, That such Deed, Conveyance, or other Instrument of Writing, if made in the said Islands of Grenada or the Grenadines, shall be executed in the presence of, at least, *Two credible Witnesses*, and acknowledged before any Judge of the Courts of *King's-Bench* or *Common-Pleas*, or before any Baron of the Court of *Exchequer* of the said Islands, or before the Register of Deeds for the said Islands, by the party or parties thereto, to be his, her, or their free and voluntary Act and Deed, or proved by the Oath of One of the subscribing Witnesses to the said Instrument of Writing, before any of the said Judges or Barons aforesaid, and indorsed on the said Deed, that the party or parties thereto did seal and deliver the same as his, her, or their free and voluntary Act and Deed, in the presence of himself and the other Witness or Witnesses thereto; And if the said Deed, Conveyance, or other Instrument of Writing, shall be made and executed in *Great-Britain, Ireland*, or any other of his Majesty's Dominions, the same shall be in like manner acknowledged, or proved before the Chief Magistrate of any City or Town Corporate in the Kingdom of Great Britain or Ireland, or before any resident Governor, or Commander-in-Chief of any of his Majesty's Colonies or Plantations, and transmitted to this Island under the Seal of the said Corporation, or under the Great Seal of the said Colony or Plantation respectively.

Proviso.

Deeds, Conveyances, &c. made in these Islands, how to be executed, &c.

How proved.

Deeds, &c. made and executed out of these Islands, how to be proved, &c. Vide Act, No. 24. Clause 38.

And Provided also, That if any Feme Covert be a party to any such Deed, Conveyance, or other Instrument of Writing, she shall be first privately examined before One of the said Judges, or Barons, or before such Chief Magistrate or resident Governor, or Commander-in-Chief, who is hereby required and requested to explain to her what she is to convey by the said Writing, and for what Estate, and doth, on such private Examination, acknowledge and confess, that she makes and executes the same without any Threats, Compulsion, Dread, or Fear of her Husband, but of her

Proviso.

Feme covert when Party, how examined.

Vide Act, No. 13.

own free and voluntary Will : And such private Examination shall, in like Manner, be indorsed on the said Deed, and attested by such Judge or Baron, Chief Magistrate, or resident Governor, or Commander-in-Chief : And the said Deed, Conveyance, or other Instrument of Writing, being recorded in the said Register's-Office, shall be as good and effectual in Law as if the same was passed by way of Fine and Recovery, before any Judge or Judges in *Westminster-Hall*, or otherwise, and shall be sufficient to bar such Feme-Covert ; and all persons claiming, or to claim under her, of and from all Estate, Right, Title, Claim, or Interest, whatsoever, either in Law or Equity, saving and excepting only such Claim or Interest as in and by the said Deed or Conveyance shall or may be reserved on the part and for the use and benefit of such Feme Covert.

Clause II.
Will no Evidence
till proved and re-
corded.
Vide Act, No. 24.
Clause 40.

And be it further enacted, by the Authority aforesaid, That no Will wherein or whereby any Estate in, or of Lands and Tenements, shall hereafter be devised, shall be allowed to be pleaded or admitted as or for Evidence in any Court of Law or Equity, until the same be duly proved before the Governor in Chief, or other Person having power to take probate of Wills, and recorded in the Register's-Office.

Clause III.
Probates of Wills
heretofore made be-
fore Lieutenant-Ge-
neral or President
in the absence of
the Governor-in-
Chief, deemed valid.

And to prevent Disputes concerning the taking the probate of Wills heretofore made and proved which may be of great Prejudice to the Inhabitants, many of whom derive their Estates under the said Wills, Be it therefore enacted, by the Authority aforesaid, That all Probates of Wills heretofore made and taken before the Lieutenant-General, in the Absence of the Governor-in-Chief, or President of the Council in the Absence of the said Governor and Lieutenant-General, or before either of them, shall be held, esteemed, reputed, deemed, and taken to be good and valid, to all Intents and Purposes whatsoever, as if the same had been proved before the Governor in Chief, or as if the said Wills, or any of them, had been made in *England*, and proved in the Prerogative Court of *Canterbury*.

Clause IV.
Copies of Wills, &c.
attested by Regis-
ter, good evidence.
Vide Act, No. 24.
Clause 40.

And be it further enacted, by the Authority aforesaid, That Copies of all such Wills, Deeds, Conveyances, or other Instruments of Writing, that shall be so entered and recorded in the Register's-Office, and duly attested by the Register, or his lawful Deputy for the Time being, shall be allowed and permitted to be pleaded, and be as good Evidence as if the Original was then and there exhibited.

Clause V.
Wills, Deeds, &c.
already recorded,
&c.

And whereas several Persons, from motives of Prudence and Justice, have already recorded Wills, Deeds, Conveyances, Mortgages, and other instruments of Writing, in the hope, that the Legislature would make the same effectual, Be it enacted, by the Authority aforesaid, That all Wills, Deeds, Conveyances, Mortgages, and other Instruments of Writing, which have been already recorded in the Register's-Office, provided the same have been first duly acknowledged or proved ; and the Feme Coverts, where any have been Parties to the said Instruments of Writing, privately examined in the Manner appointed to be done by this Act, the same shall be held, esteemed, reputed, deemed, and taken to be well and sufficiently recorded within the Intent and Meaning of this Act, and the Registries thereof are hereby declared public Records, and Copies of all such Wills, Deeds, Conveyances, Mortgages, and other Instruments of Writing, which have been so entered and recorded, as last mentioned, duly attested by the Register, or his lawful Deputy for the Time being, shall be allowed and permitted to be pleaded, and be as good Evidence as if the Original was then and there produced.

Deemed sufficiently
recorded.

Copies of the same
attested by the Re-
gister, good Evi-
dence.

Clause VI.
Disputes about the
Priority of Deeds,
&c. how prevented.

And, to prevent all Disputes about the priority of the said Deeds, Conveyances, or other Instruments of Writing ; Be it enacted, by the Authority aforesaid, that the Register, or his lawful Deputy for the Time being, shall, immediately after the bringing the same into his Office, indorse on the back, or some other part of the said Deeds, Conveyances, or other Instruments of Writing, the Time of the Entry thereof, which shall also be

entered in the Record, and the Time of such Entry shall be held, deemed, and taken to be the Time of the Registry thereof.

And be it enacted by the Authority aforesaid, That the said Register, or his lawful Deputy for the Time being, exercising and executing the said Office, shall, before his Excellency in Council, at the first Sitting after the Publication of this Act, take an Oath for the due and faithful Discharge of the said Office, without Favor or Affection, Fear, Hatred, or Malice, to or of any Person whomsoever; and the said Register shall keep such Records in good strong-bound Books, leaving a Margin of One Inch in breadth on the Sides; And if any Person or Persons shall wilfully embezzle, erase, or deface any principal Deed, brought to and entered in the said Office, or any Record of these Islands, or forge or counterfeit any Entry of the Acknowledgment of such Deed, with intent to injure or defraud any Person or Persons whomsoever, and be thereof lawfully convicted *by the Verdict of Twelve good and substantial Freeholders*, he, she, or they, shall suffer (such) Death as a Felon or Felons; And if such Register, or his lawful Deputy, shall be guilty of any wilful Neglect in the Execution of his Office, and shall be thereof lawfully convicted, he shall forfeit Five Pounds to his Majesty, his Heirs, and Successors, to be applied to the Public Uses of these Islands, to be recovered in any of the Courts of Record thereof, and be further liable to an Action for Damages, at the Suit of the Party injured.

Expired.

Expired.

And be it further enacted, by the Authority aforesaid, that the Register, or his Deputy for the time being, shall duly attend at his Office from the Hours of Eight in the Morning until Twelve at Noon, and from Three till Five in the Afternoon, under the Penalty of Twenty Shillings for each Neglect, One Moiety thereof to be to Our Sovereign Lord the King, his Heirs, and Successors, to be paid into the Public Treasury of this Island, and to be applied to the Public Uses thereof, and the other Half to the Informer, to be recovered in any Court of Record in this Island.

Clause VII.

Register or Deputy shall take an Oath before his Excellency for the due discharge of his Office.

Records, how to be kept.

Persons embezzling or erasing any principal Deed, &c. or forging any Entry, &c. shall suffer Death.

Repealed by No. 81, Clause 44.

£5. Penalty on the Register neglecting his Duty.

Clause VIII.

Clause IX.

Clause X.

Hours of Register's Attendance at the Office.

Penalty 20s.

How applied.

No. III.

An Act to make Cattle, Horses, Mules, Asses, Coppers, Stills, and Plantation Utensils, real Estate of Inheritance, and declaring Widows dowable of them, as of Lands and Tenements. [April 29, 1767.]

Vide Act, No. 5.

WHEREAS, according to the Laws now in being, Widows are only dowable of Estates in Lands and Tenements in these Islands, which must be attended with considerable Disadvantages to such Persons, as the Want of Plantation Utensils, wherewith to work and manure Lands, and manufacture the Produce thereof must of course render them of very little or no Value; for Remedy whereof, and the making more suitable Provision for the Widows of deceased Husbands, who shall die seised and possessed of any Estate, in Lands, or Tenements, in these Islands; Be it, and it is hereby enacted, by His Excellency the Captain-General and Governor in Chief of the *Southern Charibbee Islands of Grenada, the Grenadines, Dominica, St. Vincent, and Tobago in America*; the Honorable the Members of His Majesty's Council, and the General Assembly of these your Majesty's Islands of Grenada and the Grenadines: That all the Horned Cattle, Horses, Mules, and Asses, commonly used, employed, and worked upon, and about any Plantation or Plantations, and all Coppers, and Stills, and other Plantation Utensils, are hereby declared real Estate of Inheritance, and affixed to the Freehold, and shall, with the Plantation whereto the same belong, descend to the Heir at Law, and the Widow shall be dowable of them and every of them, in the same Manner as she is now dowable of the Lands and Tene-

Preamble.

Clause I.

Horses, Mules, Asses, Coppers, Stills, and Plantation Utensils, made real Estate. Vide Act, No. 5, Clause 1.

Descend to Heir at Law, and Widows made dowable of

them, and entitled
to recover the same
profits, &c.
Vide Act, No. 5,
Cl. 2.

Proviso.

ments whereof her Husband shall die seised; and that such Widow may and shall be entitled to recover the Mesne Profits of such Plantation, Cattle, Horses, Mules, Asses, or other Hereditaments whereof she shall be so endowed against the Party or Parties that may or shall have received, or detained the same, in Damages by Action upon the Case, in any Court of Record of these Islands, or by Suit in Equity against the Party or Parties, their Executors or Administrators, who may or shall have received, or denied the same.

Provided always, That the said Plantation, or the Works thereon being, shall not be divided, or otherwise parted, than by the Allotment of the Third part of the Dwelling-House, with its Appurtenances and necessary Conveniences, to the Tenant in Dower, for her Habitation or convenient Reception, when she shall think fit to remain there, or to repair thereunto; which Third Part of the Dwelling-House the Provost-Marshal, or his lawful Deputy, upon Application to him made, shall set, or lay out to such Tenant in Dower, and shall forthwith put her in quiet and peaceable Possession of the same. And that none of the Horses, Cattle, Mules, Asses, Coppers, Stills, or other Plantation Utensils whatsoever, to any Plantation belonging, shall be carried off, or employed from the said Plantation, otherwise than in the immediate Service thereof, by such Tenant in Dower, or by the Heir of him or them, in Reversion or Remainder; but that they shall join in carrying on the Business of the same, to the greatest Advantage of all the Parties concerned.

Clause II, repealed by Act No. CI, and Clauses III and IV expired.

No. IV.

An Act for regulating the Proceedings of the General Assembly on all Bills to impose any General Tax on the Inhabitants of these Islands, and to Regulate the Proceedings of the Council on all Bills whatever. [October 14, 1767.]

Preamble.

WHEREAS nothing is more equitable and just, than that the People on whom any general tax is imposed should be as fully represented as the situation and circumstances of the Country will possibly admit; nor any thing more reasonable, than that all the Members of His Majesty's Council should have an opportunity of giving their assent or dissent to any Act of the Legislature of which they are Members: and it is the duty of those, who are entrusted with the Liberties and properties of their fellow subjects, to provide for their safety and security, under a virtuous and patriotic Administration; thereby to prevent the mischiefs and evils that may ensue under a vicious and self-interested one: We, your Majesty's most dutiful, loyal, and obedient subjects, the Captain-General and Governor in Chief of the *Southern Charibbee Islands of Grenada, the Grenadines, Dominica, St. Vincent and Tobago, in America*, the Honourable the Members of His Majesty's Council of *Grenada* and the *Grenadines* and the General Assembly of the same, humbly pray your most Excellent Majesty, That it may be enacted, And be it, and it is hereby enacted, by the Authority aforesaid, That from and immediately after the meeting of the next General Assembly, no Bill for laying on, or imposing any general Tax on the Inhabitants of these Islands of *Grenada* and the *Grenadines*, shall be brought into the House of Assembly until six days after the same shall be moved for; nor shall the same as a Bill be read in the said House of Assembly, until the Speaker, for the time being, shall have issued his summons, which he is hereby required and directed immediately to do, requiring the attendance of such of the absent Members as shall be on or in the Island of *Grenada*, upon that particular

Clause I.

Bill for laying General tax; how to be brought in.

Such Bill not to be read until absent Members be summoned to attend;

business ; and allowing a sufficient time for the sending out the same, and the coming in of the Members so absent : *Nor shall any Bill whatever pass the Council until all the Members thereof, then on and in the said Island of Grenada, shall have been duly summoned to attend the Council Board on that particular business ; nor at any other time than the time mentioned and appointed in such summons. And the Provost-Marshall, or his lawful Duputy, if thereto required, shall be obliged to prove the service of such summons to have been made by some Person.* Provided always, That nothing in this Bill shall be construed or understood any ways to derogate from, or alter the present constitution of this Colony as established by His Majesty's commission and instructions to the Captain-General or Commander-in-Chief of these Islands for the time being.

Repealed by Act,
No. 86.

No. V.

An Act to explain and amend an Act, to make Cattle, Horses, Mules, Asses, Coppers, Stills, and Plantation Utensils, real Estate of Inheritance; and declaring Widows dowable of them, as of Lands and Tenements. [Feb. 1, 1770.]

WHEREAS, by an Act, intituled, "An Act to make Cattle, Horses, Mules, Asses, Coppers, Stills, and Plantation Utensils, real Estate of Inheritance, and declaring Widows dowable of them, as of Lands and Tenements," bearing date the Twenty-ninth day of April, in the Year of our Lord, One Thousand Seven Hundred and Sixty-seven, and in the Seventh Year of the Reign of our Sovereign Lord GEORGE the Third, by the Grace of God, of Great Britain, France, and Ireland, King, Defender of the Faith, and so forth, It is, among other things, enacted, That all the Horned Cattle, Horses, Mules, and Asses, commonly used, employed, and worked upon, and about any Plantation or Plantations, and all Coppers, Stills, and other Plantation Utensils, are thereby declared real Estate of Inheritance, and affixed to the Freehold ; and shall, with the Plantation whereto the same do belong descend to the Heir at Law, and the Widow shall be dowable of them, and every of them, in the same manner as she is dowable of the Lands and Tenements, whereof her Husband shall die seised ; And that such Widow may and shall be entitled to recover the mesne profits of such Plantation, Cattle, Horses, Mules, Asses, or Hereditaments, whereof she shall be so endowed, against the Party or Parties that may or shall have received or detained the same, in damages by Action upon the case, in any Court of Record of these Islands ; or, by Suit in Equity, against the Party or Parties, their Executors or Administrators, who may or shall have received or detained the same.

Preamble.
Recites Act, No. 3.

And whereas great and unforeseen injuries and losses have arisen to Merchants, Factors, and other Persons, in these Islands ; and many inconveniences may arise to the general discredit of these Islands, by the delays and difficulties occasioned in the recovery of just Debts, from the Executors and Administrators of Persons dying possessed of Horned Cattle, Horses, Mules, and Asses, belonging to, or worked, used, or employed, upon Plantations ; To prevent, therefore, the losses and inconveniences that may, in future accrue from the said recited Clauses in the said Act, Be it, and it is hereby enacted, by the Governor and Commander in Chief of the Southern Charibbee Islands of Grenada, the Grenadines, Dominica, St. Vincent, and Tobago, the Honourable the Members of His Majesty's Council of Grenada and the Grenadines, and the General Assembly of the same, That all Horned Cattle, Horses, Mules, or Asses, belonging to and employed on any Plantation, after the publication of this Act, shall and the same are hereby declared real Estate, and not Chattels ; and shall descend accordingly, and Widows shall be capable of being endowed thereof.

Clause I.
Horned Cattle,
Horses, Mules, or
Asses, employed, on
any Plantation, to
be real Estate, and
not Chattels, and
Widows to be en-
dowed thereof.
Vide Act, No. 3.

Proviso.

Executors, &c. may inventory the said Horned Cattle, Horses, Mules, and Asses, belonging to, or employed or not, on any Plantation, but not take them into his custody, to the intent, that if there be not sufficient Goods and Chattels to pay the deceased's Debts, the said Horned Cattle, Horses, Mules, and Asses, belonging to or employed on any Plantation, shall be and the same are hereby deemed and taken to be assets in the hands of any such Executors and Administrators, and shall, accordingly, be liable and subject to the payment of the said Debts, and shall be Chattels, for that purpose, and not otherwise, and the Widow shall not be endowed thereof.

Clause II.

No Widow to be endowed of Horses, &c. sold by the Provost Marshal, in the Lifetime of her Husband. And be it further enacted, by the Authority aforesaid, That no Widow shall be endowed of any Horses, Mules, Asses, or Horned Cattle, commonly used, employed, and worked upon, and about any Plantation or Plantations, or of any Coppers, Stills, or other Plantation Utensils or Implements, which, after the publication of this Act, shall be sold in the lifetime of her Husband, by the Provost-Marshal of this Island, or his lawful Deputy, at public out-cry, for the payment of the just Debt or Debts of such Husband, by virtue of any Execution or Executions, already issued or to be issued, upon any Judgment or Judgments at Law, obtained or to be obtained against such Husband, or upon any Decree or Decrees of the Court of Chancery, made or to be made against him.

No. VI.

An Act to extend an Act of Parliament made in the Twenty-ninth Year of the Reign of the late King *Charles the Second*, intituled, "An Act for prevention of Frauds and Perjuries," unto the Islands of *Grenada* and the *Grenadines*, and to enforce the same. [Feb. 20, 1770.]

Preamble.

WHEREAS doubts have arisen whether an Act of Parliament made in the Twenty-ninth Year of the Reign of the late King CHARLES the Second, does extend and is in Force in these Islands of *Grenada* and the *Grenadines*; to the end, therefore, that such doubts may be entirely removed, and the Law settled and known, Be it enacted, by the King's most Excellent Majesty, by and with the advice and consent of the Governor or Commander in Chief in and over his Majesty's *Southern Charibbee* Islands of *Grenada*, the *Grenadines*, *Dominica*, *St. Vincent*, and *Tobago*, in *America*, the Honourable the Members of His Majesty's Council of *Grenada* and the *Grenadines*, and the General Assembly of the same, That the said Act, made in the Reign of his said late Majesty King CHARLES the Second, intituled, "An Act for prevention of Frauds and Perjuries," except when the same, or any part thereof, is altered, or it is otherwise provided for in and by any Act of the said Islands of *Grenada* and the *Grenadines*, now in force, shall, by virtue of this Act, be adjudged and extended to, and be in force in the aforesaid Islands of *Grenada* and the *Grenadines*, for ever.

The Act for preventing Frauds and Perjuries, made in the twenty-ninth year of the reign of King Charles II. to be in force in these Islands.
Vide Act, 99.

No. VII.

An Act to explain and amend an Act, intituled "An Act for establishing and regulating a Register's office." [April 3, 1770.]

Preamble.

Recites Act, No. 2. WHEREAS by an Act intituled, "An Act, for establishing and regulating a Register's office in the Island of *Grenada*," bearing date the Twenty-ninth

day of *April*, One Thousand Seven Hundred and Sixty-seven, it is amongst other things therein enacted, That from and immediately after the publication of the said Act, all Deeds, Conveyances, and other Instruments of Writing, of, and relating to, or whereby any Lands or Tenements in the said Island of Grenada and the Grenadines, may be anywise affected, either in Law or Equity, should be duly entered and recorded in the Register's office of the said Island of Grenada, within one month after the making and executing the same; and all such Deeds so passed, and not recorded in the time aforesaid, shall be utterly void, to all intents, constructions, and purposes, and not pleadable in any Court or Courts of Law or Equity in the said Island, or elsewhere: Provided such Deed or Conveyance should be made in the said Island of Grenada or the Grenadines: but if such Deed or Conveyance should be made and executed in any of the neighbouring Islands, other than the Islands aforesaid, then the same shall be recorded in three months; and if in North America, within six months; and if in the Island of Jamaica or any part of Europe, within twelve months after the making and executing thereof; and if the same was not recorded in the time aforesaid, it shall be utterly void, to all intents, constructions, and purposes whatsoever, and not pleadable in any Court or Courts whatsoever of Law or Equity in these Islands, or elsewhere: And whereas the making Deeds void between Parties, where no subsequent Purchaser or Mortgagee is affected, will be the means whereby such Persons as are ill-disposed will have it in their power to commit frauds; Be it, therefore enacted, by your Majesty's most dutiful, loyal, and obedient Subjects, the Commander in Chief of the *Southern Charibbee Islands of Grenada and the Grenadines, Dominica, St. Vincent, and Tobago*, the Honourable the Members of His Majesty's Council and the General Assembly of these your Islands of Grenada and the Grenadines: And it is hereby enacted, by the Authority of the same, That from, and immediately after the publication of this Act, all Deeds and Conveyances which shall be made and executed in the said Island of Grenada* and the Grenadines, in the presence of one or more Witness or Witnesses, whereby any Lands, Tenements, or Hereditaments shall or may be in any way affected, either in Law or Equity, shall or may be registered at any time after the executing and making any such Deed or Conveyance; any thing in the said Act contained to the contrary thereof in anywise notwithstanding, in such manner as is hereafter directed. And that every such Deed or Conveyance that shall, at any time after the publication of this Act, be made and executed, shall be judged fraudulent and void against any such subsequent Purchaser or Mortgagee, for valuable consideration, unless such Deed be thereof registered before the registering of the Deed or Conveyance under which such subsequent Purchaser or Mortgagee shall claim.

And be it further enacted by the Authority aforesaid, That such Deeds or Conveyances as shall be made and executed in any of the neighbouring Islands, other than the Islands aforesaid, and shall not be recorded in three months; and if in North America, within six months; and if in the Island of Jamaica, or any part of Europe, within twelve months after the making and executing thereof, shall be void only against subsequent Purchasers and Mortgagees for valuable consideration; any thing in the said Act contained to the contrary thereof, in anywise notwithstanding.

And whereas, several Persons have omitted, through sickness or other accidents, to enter in the Register's office of this Island, in order to be recorded, divers Deeds or Instruments of Writing, within the time limited by the said recited Register's Act, by which neglect or omission the validity of many Deeds or Instruments of Writing, made and executed *bona fide* and without fraud, and necessary for the settlement of Families, may be

Clause I.
Deeds and Conveyances executed in presence of Witnesses, may be registered at any Time.
Deeds and Conveyances executed after the Publication of this Act to be judged fraudulent against subsequent purchasers, unless registered before the deed under which such subsequent purchaser claims.

Clause II.
Deeds or Conveyances executed in the neighbouring Islands, and not recorded in Three Months; in North America 6 Months; in Jamaica or Europe Twelve Months, void only against subsequent Purchasers, &c.
Vide Act, No. 2.

* See No. XXIV. Clause XXXVIII. as to Deeds made off the Island, and concerning Lands, or Tenements.

Clause III.
Deeds, &c. executed
bona fide, deemed
valid; except a-
gainst subsequent
Mortgagee by Deed
registered within
the Limit prescri-
bed.

brought into dispute, to the great prejudice of Persons and Families inter-
ested in the said Deeds and Instruments of Writing, Be it enacted by the
Authority aforesaid, That all such Deeds and Instruments of Writing ex-
ecuted *bona fide* and without fraud, shall be deemed valid, to all intents
and purposes, except against any subsequent Mortgagee or Purchaser by
Deed, registered within the limits prescribed by the said Act.

No. VIII.

An Act against the unlawful practising of pretended Surgeons and Doctors. [April 3, 1770.]

Preamble.

FORASMUCH as divers Persons coming to this Island from all Parts of His
Majesty's Dominions, as well as from the neighbouring *French* Islands, who
are necessitated to take upon them, to be of some Profession or other, the
better to gain a Livelihood and Subsistence; and amongst others many
pretend to be Surgeons and Apothecaries, both which Professions none can
attain to but by great Experience and Labour, Care and Study; yet, under
that Denomination and Title, will take upon them to practise and administer
both internally and externally, which, through their Ignorance and Un-
skilfulness, oftentimes proves fatal and destructive to the Patients, and the
said Persons under that pretence, seek to evade serving in various Public
Offices; which to prevent and remedy for the Future.

Clause I.

Be it enacted, and it is hereby enacted, By the Governor and Comman-
der-in-Chief of the *Southern Charibbee* Islands of *Grenada* and the *Grenadines*,
Dominica, *St. Vincent*, and *Tobago*, the Honourable the Members of his
Majesty's Council of *Grenada* and the *Grenadines*, and the General Assem-
bly of the same, that, from and after the Publication of this Act, no Person
or Persons whatsoever, who shall hereafter happen to arrive on this Island,
shall take upon him or them to practise or administer Physic, either exter-
nally or internally, for Fee, Present, or Reward, under such pretence or
Title, until such Person or Persons, have first been with the Governor or
Governors for the Time being, and obtained a Licence to practise in this
Island, in the Profession aforesaid.

Clause II.
Governor not autho-
rized to licence any
Person to practise
as aforesaid, until
examined by Two
skilful Chirurgeons,
or Doctors. Unless
such Persons pro-
duce a Certificate
from Surgeon's Hall,
any University, or
able Physicians of
their being capable
of Practice.

Persons practising
Physic after One
Month from the
Publication of this
Act, without Li-
cence, to forfeit for
the first Offence,
£200.

And be it further enacted by the Authority aforesaid, That neither the
Governor that now is, or any hereafter for the Time being, shall authorise
or licence any such Person or Persons to practise as aforesaid, until he or
they shall have been examined by Two able and skilful Chirurgeons and
Doctors (to be nominated by the Commander-in-Chief for the time being)
touching his or their Skill, Knowledge, and Judgment, in the said Professions,
or either of them, who shall well approve and allow of the same, before such
Licence and Toleration shall be granted as aforesaid, unless the said Person
or Persons, so desiring Liberty to practise, shall produce a Certificate from
the Surgeons-Hall in *London* or a Certificate from any University, or able
Physician of any of His Majesty's Kingdoms, for his being admitted and
allowed of that Society and Company, and approved by them, capable of
such Practice. And if any such Person or Persons whatsoever shall, after
One Month from the Publication of this Act, practise and administer Physic,
either externally or internally, to any Person of this Island, without such
Licence and Toleration from the Governor, upon the Examination had as
aforesaid, and being duly convicted thereof by Two sufficient Witnesses
before Two Justices of the Peace, shall for the first Offence, forfeit and pay
Two Hundred Pounds Current Money, to be levied upon his or their Estate,
both real and personal, by Warrant to the Provost Marshal, in the Nature
of *feri facias*, from Two Justices of the Peace; half of the said Fine to be
given to the Person informing of his or their practice, the Remainder to be
paid to the Treasurer of these Islands, for the Public Uses thereof. In Case

the said Person or Persons so practising without Licence or Toleration, and being duly convicted thereof, as aforesaid, shall prove poor and indigent, and not have wherewithal to make good the said Two Hundred Pounds, then the Person so offending, shall suffer Three Months close Imprisonment, without Bail or Mainprize, and so for every Offence committed contrary to the Tenor and True Intent and Meaning of this Act, upon due Conviction as aforesaid; Saving always excepted, from the Penalty of this Act, all such as shall administer Physic either externally or internally, to their Servants belonging or *bona fide* appertaining to themselves, or as Attornies, Agents, or Overseers for others that are absent, or shall for Charity-sake do it for any poor, indigent Person: Or any Chirurgeon or Chirurgeons, coming hither in any Ship or Ships who, in Case of Necessity, shall, upon the earnest Request and Persuasion of any sick or wounded Person, administer as aforesaid during the Time of the said Ship or Ships being here, and no longer: Any Law, Custom or Usage to the contrary notwithstanding.

And be it enacted, by the Authority aforesaid, that if any Surgeon or Doctor, that shall be nominated and appointed to examine any Person or Persons, shall refuse to examine such Person or Persons, he shall pay and forfeit the Sum of One Hundred Pounds, to be recovered and appropriated, as is herein before mentioned.

Persons offending, and proved to be poor and indigent and not able to pay said £200 to be imprisoned 3 Months, without Bail or Mainprize.

Persons arriving here in Cases of Necessity, may administer Physic as long as the Ship stays and no longer.

Clause III. Surgeon or Doctor nominated to examine any Person, on Refusal, to forfeit the sum of £100.

No. IX.

An Act for the Preservation of the Harbour and Bay of St. George's, appointing Regulations to be observed by Masters of Ships and other Vessels coming into and anchoring therein, for empowering the Commander-in-Chief to appoint a Harbour-Master, and for fixing his Salary. [Feb. 3, 1776.]

Vide Acts, Nos. 19, 22, 39, 40, 69, 98.

WHEREAS great Damage hath been done to the Harbour and Bay of St. George's in this Island, by laying up Wrecks therein and throwing Rubbish and Ballast into different parts of the said Harbour: And whereas it is of the utmost consequence to the Commercial interests of these Islands, that the said Harbour be kept clean, and the Depth of the Water preserved, and prevented from Shoaling.

Be it therefore enacted, by the Commander-in-Chief and the Council and Assembly of Grenada and the Grenadines, That if any Ship, Vessel, Lighter, Boat, or other Craft, that hereafter may sink or be sunk, or permitted to sink in the said Harbour, shall be suffered to remain sunk therein for the space or term of Fourteen days (unless good Cause is shewn to the Harbour-Master, who, in that Case may grant any longer Time, not exceeding One Month from such sinking) the Owner or Owners, or Master or Masters, or other Person or Persons, acting as Owner or Owners, or Master or Masters, or last having the Command or Charge of such Ship, Vessel, Lighter, Boat or other Craft, before the sinking thereof, as aforesaid, shall forfeit the Sum of Two Hundred Pounds Currency, to be recovered in manner as hereinafter directed.

Clause I. £200 Penalty on Owners, &c. of Vessels sunk in the Harbour, and permitting them to remain sunk therein more than 14 Days, unless, upon good Cause shewn, the Harbour Master shall grant a longer Time, not exceeding One Month.

And be it enacted by the Authority aforesaid, That it shall not be lawful to burn the Bottom of any Ship, Vessel, Lighter, or other Craft, in any Tier of Ships in the said Harbour, but the Master of every Ship, Vessel, Lighter, or other Craft, who shall find it necessary hereafter to burn the Bottom of any such Ship, Vessel, Lighter, or other Craft, in the said Harbour, is hereby required and directed to haul the same out of the Tier to such part of the Harbour as the Harbour-Master shall appoint where the safety of any other Ship or Vessel therein shall not be endangered thereby: and that all Masters or Owners, or other Persons, acting as Masters, or Owners of Ships, Vessels, Lighters, or other Craft, who shall hereafter

Clause II. Bottoms of Vessels not to be burned in the Tier among the Shipping, but to be hauled out and burned in such Place as the Harbour-Master shall direct, under a Penalty of £200, besides Damages to the Party injured.

presume to burn, or suffer the Bottom of any Ship, Vessel, Lighter, or other Craft, to be burnt in any Tier of Ships, or otherways than as directed by the Harbour-Master as aforesaid, shall, for every such Offence, forfeit and pay the like Sum of Two Hundred Pounds Currency, over and above such Damages as the Offender or Offenders may be liable to at the Suit of the Party injured.

Clause III.

Masters or Owners of Vessels, or others, throwing Ballast, Rubbish, or any Thing tending to choak up or encumber the Harbour, how to be fined.

Sand or Shingle Ballast not to be taken from any Part of the Shore or Beach.

Limits of the Harbour and Bay ascertained.
Vide Act, No. 69.

Penalty inflicted on Persons offending against the Act.

Clause IV.
Persons throwing any Human Body or Dead Carcass into the Harbour and Bay, how to be punished.

And be it further enacted, That, if at any Time from and after the Publication of this Act, any Master or Owner, or any Person acting as Master or Owner of any Ship, Vessel, Lighter, Boat, or other Craft whatsoever, being or riding in the said Harbour or Bay, shall throw overboard any Ballast, Rubbish, Gravel, Earth, Stone, Wreck, or any other thing whatsoever, whereby the said Harbour or Bay may be choaked up or encumbered, or if any Person or Persons, by any other means whatsoever, either from on Board of any Ship, Vessel, Lighter, Boat, or other Craft, as aforesaid, or from the Shore, shall do any Thing tending to choak up or encumber the said Harbour and Bay, or shall throw any Ballast or Rubbish, as aforesaid, but only upon Land at least Eight Feet above High-water Mark, or take off any Sand or Shingle Ballast from any Part of the Shore or Beach of the said Harbour and Bay (which Bay is and shall be deemed and taken to extend from the Mouth of the River to the South Point of the Harbour, known by the Name of *Monckton's Redoubt*) it shall and may be lawful for any Two or more Justices of the Peace for the said Island of *Grenada*, upon Information and Complaint thereof made, and they are hereby authorised and required to summon and issue out their Warrant and Warrants to apprehend and bring before them the Master or Masters, Owner or Owners, or other Person or Persons acting as Master or Masters, Owner or Owners of any such Ship, Vessel, Boat, Lighter, or other Craft, or any other Person or Persons, as aforesaid, against whom such Complaint or Information shall be made or given, and, upon his, her, or their Appearance or Default, to proceed to examine the Matter of Fact, and upon due Proof thereof made, either by the Confession of the Party offending or in view of such Justices, or upon the Oath or Oaths of One or more credible Witness or Witnesses (which Oaths they are hereby required and empowered to administer) that any Ballast, Rubbish, Earth, Stone, Wreck, or other Filth whatsoever, as aforesaid, had been thrown, cast, unladen, or put into the said Harbour, or within Eight Feet of High-water Mark, or any Thing done tending to choak up or encumber the said Harbour, the Person or Persons guilty thereof, either from the Shore or from on Board of any Ship, Vessel, Boat, Lighter, or other Craft, and the Master or Masters, Owner or Owners thereof, shall be adjudged, and he, she, or they, shall be and are hereby declared Offender or Offenders against this Act, and he, she, or they, being by such Justices, or any of the Ways and Means aforesaid, thereof convicted, shall forfeit and pay, for every such Offence, any Sum not exceeding the Sum of Thirty Pounds, nor under Five Pounds Current Money of the said Island of *Grenada*, at the Discretion of such Justices.

And be it further enacted by the Authority aforesaid, That if any Person or Persons whatsoever shall throw, or cause to be thrown, any Human Body, or the Dead Carcass of any Horse, Mule, Ox, Ass, Camel, Sheep, or Hog, from on Board of any Ship, Vessel, Lighter, Boat, or other Craft, or from the Shore into the said Harbour or Bay, the Offender or Offenders, shall, on Conviction as aforesaid, forfeit the Sum of Ten Pounds for every such Offence, which Offence shall also be cognizable and triable before any Two Justices of the Peace for the said Island, who are hereby authorized and required to proceed to such Conviction in Manner herein before directed in Cases cognizable by them: Provided, nevertheless, and it is hereby declared, that the Masters of every Ship, Vessel, Boat, Lighter, or other Craft, from on Board of which any such Dead Body or Carcass

shall be thrown, be deemed and taken to be the Offender within the Meaning of this Act, and shall be solely liable to answer for such Offence.

And be it further enacted by the Authority aforesaid, That all Masters of Ships or other Vessels hereafter to be moored in the said Harbour, or anchored in the said Bay, shall moor and anchor in the same, so as to be the least Hindrance to Ships and Vessels before in Port, in discharging or loading their Cargoes, and so as not to overlay any Cable or Sternfast, or to occasion any other Damage to the said Ships or Vessels in Port as aforesaid, or to endanger them in their respective Berths : and that no Ship or Vessel shall lie in the Entrance of the said Harbour, or ride at a single Anchor more than Twelve Hours ; and that all Masters of Ships and Vessels, now lying, or hereafter to be moored or anchored in the said Harbour or Bay, shall rig in their Jib-booms, Spritsail-yards, and Ringtail-booms, in such Manner as not to obstruct or hinder Droghers or other small Vessels working up the Harbour, and shall stow their Anchors in such Manner as not to injure or endanger other Vessels riding in the said Harbour or Bay, under the Penalty of Twenty Pounds Currency for each Offence, (over and above such Damages as the Offender or Offenders may be liable to, at the Suit of the Party injured) to be recovered from the Offender or Offenders, who shall be convicted thereof before any Two Justices of the Peace for the said Island, in Manner aforesaid, who are hereby authorized and required to proceed as herein before directed, in Cases cognizable by them ; and that all Disputes, between Masters of Ships or other Vessels, concerning their Berths, shall be determined by the said Harbour-Master, who is hereby fully empowered and required to hear and determine the same ; and also to cause the Masters or Owners of all such other Ships or Vessels, or other Craft, who may have anchored in an inconvenient or improper Place of the Harbour or Bay, to remove to such Berths as he shall point out ; and such Master or Owner as shall not comply therewith, shall, for such Refusal or Neglect, forfeit and pay Five Pounds Current Money, to be recovered in such summary Manner as is herein after directed.

And be it further enacted by the Authority aforesaid, That One Moiety of all the Penalties inflicted or incurred by this Act, shall be to the King's Majesty, His Heirs and Successors, to be paid into the Hands of the Public Treasurer of the said Island of *Grenada*, for the Public Uses thereof, subject to the Appropriations made by this Act, or such other Appropriations as shall from Time to Time be made of the same, by any subsequent Act or Acts of these Islands, and the other Moiety to the Harbour-Master, who is hereby authorized and strictly required to sue for the same, to be recovered in Manner hereinafter mentioned ; that is to say, such of the said Penalties as shall exceed the Sum of Thirty Pounds to be recovered and sued for, by any Action or Suit, in any of His Majesty's Courts of Record in the said Island of *Grenada*, wherein no Essoin, Protection, or Wager of Law, shall be allowed ; and such of the said Penalties as shall not exceed the Sum of Thirty Pounds, shall be recovered and levied by Distress and Sale, either of the Goods and Chattels of the Person or Persons so convicted, respectively as aforesaid, or of the Ship, Lighter, Boat, or other Vessel, or of their Tackle, Apparel, or Furniture (by Warrant or Warrants under the Hands and Seals of such Justices, and which he or they are hereby empowered and required, on such Conviction as aforesaid, to make, unless within Three Days after such Conviction, if the said Penalty shall be above the Sum of Fifteen Pounds, and not exceeding Thirty Pounds as aforesaid, such Person or Persons shall enter, with Two sufficient Sureties, into Recognizance in the Office of the Provost-Marshal for the Payment of the said Penalty within Three Months after the Date of the same, which Recognizance shall be upon the same Condition as Recognizances [under] an Act, intitled, " An Act for re-establishing Courts of *Common Pleas*, " *Error*, *King's Bench*, and *Grand Sessions*, and for the compelling the " Specific Performance of Money Contracts, and an equitable Performance

Clause V.
Vessels to moor and anchor in the Harbour so as to be of the least Hindrance to those in Port before them.

No Vessel to lie in the Entrance of the Harbour, or ride at single Anchor more than 12 Hours.
Jib-booms, &c., how to be rigged in, and Anchors how to be stowed.

£20 Penalty over and above Damages, to be recovered in any Court of Law.

Disputes between Masters of Vessels about their Berths to be determined by the Harbour-Master.
Masters of Vessels to remove their Vessels to such Berths as the Harbour-Master shall point out.
£5 Penalty for every Neglect or Refusal to comply with the same.

Clause VI.
One Moiety of the Fines to be paid to the Public Treasurer, and the other Moiety to the Harbour-Master.

Harbour-Master directed to sue for the same.

In what Manner the Fines are to be sued for.
Vide Act, No. 18, Clause 6.

No. X.

An Act for regulating the Re-building of the Town of *St. George*, in the Parish of *St. George*, in the Island of *Grenada*, for preventing the Destruction of the same by Fire, for ascertaining the Boundaries of the said Town, and making a correct Plan of the same, for rendering the said Town more safe, healthy, and convenient, by Alteration of some, and the Opening of other Streets, and for appointing Commissioners with Powers to treat and conclude for the Purchase of any private Property that may be affected by this Act, and generally for carrying the same into execution. [Feb. 3, 1776.]

Classes I. II. III.

Preamble.

Repealed.—See No. XXI.

Clause IV.
Building not to encroach upon the Streets, Lanes, Squares, or public Places.

And whereas divers Persons have advanced the Foundations of their Houses or other Buildings upon the Streets, Lanes, Squares, or Public Places in the said Town of *St. George*, by Reason whereof the Spaces intended to be left vacant for the Transaction of Business and Communication of the Inhabitants in the said Town, are become less adequate to the Purposes intended thereby : And whereas such and similar Encroachments, and also Galleries projecting over the said Streets or Public Places, tend to render the said Town less healthy, as well as any Fire therein more difficult to extinguish, Be it further enacted by the Authority aforesaid, That all and every Person who shall, from and after the publication of this Act, build, or cause to be built, any House, Out-House, Store, or other Buildings whatsoever in the said town of *St. George*, and shall build the Foundation of such Buildings upon any parts of the said Streets, Lanes, and Squares, or public places, or shall erect any Building upon Foundations now subsisting upon the said Streets, Lanes, Squares, or other public places, or shall build or add projecting Galleries, or other projections to such Houses, shall, for every such offence, forfeit the Sum of One Hundred Pounds, to be recovered and applied in the manner hereinafter to be directed, and over and above the removal of such encroachment, which, if the Proprietor or Proprietors of the same shall refuse or neglect to remove, within Three Months after he, she, or they, shall be thereto required by any Two or more of the Commissioners hereinafter appointed, in every such Case the Offence is hereby declared to be repeated, and the said Fine of One Hundred Pounds shall continue to be levied and applied as herein before mentioned, every Three Months, until the encroachment be effectually removed.

Clause V.
Except Steps which may extend Four Feet into the same.

Provided always, and it is hereby further enacted by the Authority aforesaid, That it shall and may be lawful to erect Stone Steps to ascend to the said Stores or Dwellings, or to dig Steps to descend into Cellars, so as such Steps shall not extend farther than Four Feet into the said Streets, Lanes, Squares, or other public places.

Clause VI.
Plan of the Town drawn by Mr. D'Imbert, and Copies of the same by Mr. Harrison to be considered as authentic.

And, for ascertaining what shall be deemed, taken, and considered as the Bounds of private property, as far as the same shall be bounded by the said Streets, Lanes, Squares, or public places, Be it further enacted by the Authority aforesaid, That the Plan of the said Town of *St. George*, drawn in the Year One Thousand Seven Hundred and Thirty-two, or thereabouts, by *Honore D'Imbret*, Gentleman, Royal Surveyor in the said Island of *Grenada*, while the same was under the Dominion of the *French King*, which Plan is now in the Possession of *John Harrison*, Gentleman, Sworn Surveyor of the said Island of *Grenada*, after the same shall be altered and confirmed by the said Authority, and also Copies of the same authen-

ticated in the manner hereinafter directed, shall be deemed, considered, and taken as the true and just Plan of the said Town, as far as the same relates to the said Streets, Lanes, Squares, and all other public places; and the Breadth and Length of the said Streets, Lanes, Squares, and all other public places whatsoever, as the same are marked and described in the said Plan or authentic Copies as aforesaid, shall, except as hereinafter excepted, be deemed, considered, and taken, as the true and just breadth and length of the said Streets, Lanes, Squares, and all other public places whatsoever; and all Buildings whatsoever, which shall advance beyond the Lines marked and determined in the said Plan to be the Lines and Boundaries of the said Streets, Lanes, Squares, and other public places, shall, except as is hereinafter excepted, be deemed to be encroachments in and upon the said Streets, Lanes, Squares, and other public places, within the true meaning and intent of this Act, and all and every Person so encroaching shall, except in cases hereinbefore or hereinafter excepted, be liable to incur the Penalties inflicted by the fourth clause of this Act.

Encroachments upon that Plan to be deemed Encroachments upon the Streets of the Town.

Repealed.

Clause VII.

And whereas by an Act, intituled, "An Act to restrain all persons, under certain restrictions, from Re-building, for a limited time, on that part of the Town of *St. George* which was lately consumed by Fire, or any other vacant Lots in the said Town," it was among other things enacted, That no Person whatsoever should, except as therein excepted, for the space of Three Months after the Publication of that Act, put up any Building or Erection whatever on that part of the Town which was consumed by the late Fire, or in any other vacant Lots, for the space of Three Months, or until such time as the Legislature should, by an Act for that purpose to be provided, authorise to build thereon, Be it hereby further enacted by the authority aforesaid, That it shall and may be lawful, from and after the Publication of this Act, for all and every Person whatsoever, having a proper Title or Titles thereto, to build on the said Lots, any thing in the said Act to the contrary in anywise notwithstanding: Provided always, That such Person and Persons do and shall conform to the Regulations and Directions provided in this Act, and not otherwise.

Clause VIII.
Liberty to build immediately notwithstanding former Act.

Provided such Buildings be conformable to this Act.

Repealed.

Clauses IX. to XIII.

And for the Security of Private Property against any Errors in the said Plan to the prejudice of individuals, Be it further enacted by the Authority aforesaid, That if any Person or Persons shall think him or herself, or themselves aggrieved by the Decision of the said Commissioners in fixing the said Plan, it shall and may be lawful for all and every such Person or Persons to bring an Action or Actions of Ejectment against any nominal Person on the Demise of, and to be served upon any Four of the said Commissioners, which Action or Actions shall not abate by the Death of any of the said Commissioners, in which Action, Lease, Entry, and Ouster, shall be confessed by the said Commissioners, no Judgment by Default or Confession to be suffered, but a legal Defence made, and which Action shall come on for Trial on the Merits, at the second Court next after the Service of the Declaration of the same; and the said Commissioners, against whom such Action or Actions shall be brought, shall and they are hereby entitled to deduct from any Taxes to be by them paid in the said Island of *Grenada*, for every reasonable Expence in feeing counsel, or otherwise incurred in defending the said Cause, to be taxed by one of the Judges of the Court in which said Action shall be tried; and in Case of a Verdict in Favor of the Lessor of the Plaintiff or Plaintiffs, the Plan lodged in the Secretary's Office, shall be made conformable to such Verdict, and such Lessor shall take possession and enjoy, to all intents and purposes, and may build upon the Land so recovered by him; and in case such Lessor shall discontinue his Action, be non-suited, or that a Verdict shall be given in favor of the Tenant in possession, the said Plaintiff shall pay treble Costs to the said Commissioners.

Clause XIV.

Individuals who think themselves aggrieved by such Plan, may bring Actions of Ejectment.

In which Commissioners are allowed their Expenses out of their Taxes.

In which if they recover, they shall enjoy the Land.

If they lose or discontinue, or are non-suit, such pay treble costs.

No. X.

Vide Acts Nos. 20 & 21. An Act for regulating the Re-building of the Town of *St. George*, in the Parish of *St. George*, in the Island of *Grenada*, for preventing the Destruction of the same by Fire, for ascertaining the Boundaries of the said Town, and making a correct Plan of the same, for rendering the said Town more safe, healthy, and convenient, by Alteration of some, and the Opening of other Streets, and for appointing Commissioners with Powers to treat and conclude for the Purchase of any private Property that may be affected by this Act, and generally for carrying the same into execution. [*Feb. 3, 1776.*]

Clauses I. II. III.
Preamble.

Repealed.—See No. XXI.

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croach upon the
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And whereas divers Persons have advanced the Foundations of their Houses or other Buildings upon the Streets, Lanes, Squares, or Public Places in the said Town of *St. George*, by Reason whereof the Spaces intended to be left vacant for the Transaction of Business and Communication of the Inhabitants in the said Town, are become less adequate to the Purposes intended thereby: And whereas such and similar Encroachments, and also Galleries projecting over the said Streets or Public Places, tend to render the said Town less healthy, as well as any Fire therein more difficult to extinguish, Be it further enacted by the Authority aforesaid, That all and every Person who shall, from and after the publication of this Act, build, or cause to be built, any House, Out-House, Store, or other Buildings whatsoever in the said town of *St. George*, and shall build the Foundation of such Buildings upon any parts of the said Streets, Lanes, and Squares, or public places, or shall erect any Building upon Foundations now subsisting upon the said Streets, Lanes, Squares, or other public places, or shall build or add projecting Galleries, or other projections to such Houses, shall, for every such offence, forfeit the Sum of One Hundred Pounds, to be recovered and applied in the manner hereinafter to be directed, and over and above the removal of such encroachment, which, if the Proprietor or Proprietors of the same shall refuse or neglect to remove, within Three Months after he, she, or they, shall be thereto required by any Two or more of the Commissioners hereinafter appointed, in every such Case the Offence is hereby declared to be repeated, and the said Fine of One Hundred Pounds shall continue to be levied and applied as herein before mentioned, every Three Months, until the encroachment be effectually removed.

Clause V.
Except Steps which
may extend Four
Feet into the same.

Provided always, and it is hereby further enacted by the Authority aforesaid, That it shall and may be lawful to erect Stone Steps to ascend to the said Stores or Dwellings, or to dig Steps to descend into Cellars, so as such Steps shall not extend farther than Four Feet into the said Streets, Lanes, Squares, or other public places.

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And, for ascertaining what shall be deemed, taken, and considered as the Bounds of private property, as far as the same shall be bounded by the said Streets, Lanes, Squares, or public places, Be it further enacted by the Authority aforesaid, That the Plan of the said Town of *St. George*, drawn in the Year One Thousand Seven Hundred and Thirty-two, or thereabouts, by *Honore D'Imbret*, Gentleman, Royal Surveyor in the said Island of *Grenada*, while the same was under the Dominion of the *French King*, which Plan is now in the Possession of *John Harrison*, Gentleman, Sworn Surveyor of the said Island of *Grenada*, after the same shall be altered and extended in the manner hereinafter directed and countersigned by the Persons hereinafter to be appointed, and also Copies of the same authen-

ticated in the manner hereinafter directed, shall be deemed, considered, and taken as the true and just Plan of the said Town, as far as the same relates to the said Streets, Lanes, Squares, and all other public places; and the Breadth and Length of the said Streets, Lanes, Squares, and all other public places whatsoever, as the same are marked and described in the said Plan or authentic Copies as aforesaid, shall, except as hereinafter excepted, be deemed, considered, and taken, as the true and just breadth and length of the said Streets, Lanes, Squares, and all other public places whatsoever; and all Buildings whatsoever, which shall advance beyond the Lines marked and determined in the said Plan to be the Lines and Boundaries of the said Streets, Lanes, Squares, and other public places, shall, except as is hereinafter excepted, be deemed to be encroachments in and upon the said Streets, Lanes, Squares, and other public places, within the true meaning and intent of this Act, and all and every Person so encroaching shall, except in cases hereinbefore or hereinafter excepted, be liable to incur the Penalties inflicted by the fourth clause of this Act.

Encroachments upon that Plan to be deemed Encroachments upon the Streets of the Town.

Repealed.

Clause VII.

And whereas by an Act, intituled, "An Act to restrain all persons, under certain restrictions, from Re-building, for a limited time, on that part of the Town of *St. George* which was lately consumed by Fire, or any other vacant Lots in the said Town," it was among other things enacted, That no Person whatsoever should, except as therein excepted, for the space of Three Months after the Publication of that Act, put up any Building or Erection whatever on that part of the Town which was consumed by the late Fire, or in any other vacant Lots, for the space of Three Months, or until such time as the Legislature should, by an Act for that purpose to be provided, authorise to build thereon, Be it hereby further enacted by the authority aforesaid, That it shall and may be lawful, from and after the Publication of this Act, for all and every Person whatsoever, having a proper Title or Titles thereto, to build on the said Lots, any thing in the said Act to the contrary in anywise notwithstanding: Provided always, That such Person and Persons do and shall conform to the Regulations and Directions provided in this Act, and not otherwise.

Clause VIII. Liberty to build immediately notwithstanding former Act.

Provided such Buildings be conformable to this Act.

Repealed.

Clauses IX. to XIII.

Clause XIV.

And for the Security of Private Property against any Errors in the said Plan to the prejudice of individuals, Be it further enacted by the Authority aforesaid, That if any Person or Persons shall think him or herself, or themselves aggrieved by the Decision of the said Commissioners in fixing the said Plan, it shall and may be lawful for all and every such Person or Persons to bring an Action or Actions of Ejectment against any nominal Person on the Demise of, and to be served upon any Four of the said Commissioners, which Action or Actions shall not abate by the Death of any of the said Commissioners, in which Action, Lease, Entry, and Ouster, shall be confessed by the said Commissioners, no Judgment by Default or Confession to be suffered, but a legal Defence made, and which Action shall come on for Trial on the Merits, at the second Court next after the Service of the Declaration of the same; and the said Commissioners, against whom such Action or Actions shall be brought, shall and they are hereby entitled to deduct from any Taxes to be by them paid in the said Island of *Grenada*, for every reasonable Expence in feeing counsel, or otherwise incurred in defending the said Cause, to be taxed by one of the Judges of the Court in which said Action shall be tried; and in Case of a Verdict in Favor of the Lessor of the Plaintiff or Plaintiffs, the Plan lodged in the Secretary's Office, shall be made conformable to such Verdict, and such Lessor shall take possession and enjoy, to all intents and purposes, and may build upon the Land so recovered by him; and in case such Lessor shall discontinue his Action, be non-suited, or that a Verdict shall be given in favor of the Tenant in possession, the said Plaintiff shall pay treble Costs to the said Commissioners.

Individuals who think themselves aggrieved by such Plan, may bring Actions of Ejectment.

In which Commissioners are allowed their Expences out of their Taxes.

In which if they recover, they shall enjoy the Land.

If they lose or discontinue, or are non-suit, such pay treble costs.

Clause XV.
Buildings erected or begun before the first Day of November, which encroach, to be brought within the Lines in 18 Months, under Penalty of £500, and of being pulled down.

And be it further enacted by the Authority aforesaid, That if any Building erected, or begun to be erected, before the first Day of *November* last, shall be found to encroach, according to such Plan so deposited in the Secretary's Office, the Owner or Owners of the same shall, within Eighteen Kalendar Months from Notice thereof, to him, her, or them given, by the Majority of resident Commissioners as aforesaid, remove such Building, so as that no Part thereof shall be or remain on any Part of the said Streets, Lanes, Squares, or other public Places, as fixed by the said Plan, unless within the said Space of Eighteen Months from such Notice, he, she, or they, shall, by a Verdict on an Action or Actions of Ejectment, to be brought in the Manner hereinbefore directed, prove his, her, or their Right to such Lands so occupied or built upon by him, her, or them, under Penalty for every such Offence of the Sum of Five Hundred Pounds, to be recovered and applied in the Manner hereinafter to be directed, and also of having the said Building pulled down and removed in the same Manner and with the same Assistance as allowed, and under the same Penalty for Opposition as inflicted, and the same Disposition made of the same Materials so to be removed as are hereinbefore severally directed and impowered.

Clause XVI.
Boundaries of the Town.
Vide Acts Nos. 20, & 21.

And, for ascertaining the Boundaries of the said Town, Be it further enacted by the Authority aforesaid, That all the Space of Ground comprised between the Sea and the Western Line of the Sugar Plantation of the Honorable *William Lucas*, until the same joins the Hospital Land, and the same Line prolonged to the nearest Ridge of the said Hospital Land, from thence along the said Ridge until the said Line joins the new Building called the Hospital, from thence continued along the Precipice, gradually descending from the said Hospital to the public Road, and the River, shall be deemed, considered, and taken as and for the said Town of *St. George*, for all the intents and purposes of this Act, and the said Boundaries shall be so fixed, laid down, and described on the Plan to be deposited in the Secretary's Office as aforesaid: Provided always, and it is hereby further enacted and declared, That nothing in this Act shall be construed to extend to or to affect the Buildings now erected, or to be erected on that part of the Town contained within the said Boundaries, which comprehends *Fort Royal*, and the Buildings thereunto belonging, destined and employed for the use of his Majesty's Troops.

Not to affect the present Buildings in the Fort.

Clause XVII.

Repealed.

Clause XVIII.

New Street to be laid out to communicate between *Scott* and *Young Streets*, provided no Interference with private Property.

And whereas it will contribute very much to the facility of carrying on Trade in the said Town of *St. George*, that more easy Communications be opened between different Parts of the same, Be it enacted by the Authority aforesaid, That it shall and may be lawful for the Majority of so many of the said Commissioners as shall be for the Time being actually resident in the said Town of *St. George*, to lay out a Street, not exceeding the Width of Thirty Feet, from the Corner of the House of *Robert Young, Esq.*, in *Scott-street*, and to extend to *Young-street*, provided that in laying out the said Street, the said Commissioners shall not interfere with private Property (a Liberty merely to occupy lands belonging to the Crown or to the Public, until the same should be demanded for public Uses, not to be considered as a Claim of private Property); and in Case the said Street cannot be conveniently laid out without treating for the Purchase of some private Property to be thrown into the said Street, it shall and may be lawful for the aforesaid Majority to treat and conclude for the same, and to certify the Amount of the Purchase-Money of the same, which Certificate shall entitle the Proprietor thereof or his Assigns, to the Sum therein mentioned, out of the first public Monies to be raised, and not otherwise appropriated: Provided always, That the said Purchase-Money shall not exceed the Sum of Three Hundred Pounds Current Money of *Grenada*; and in Case such Street shall be so laid out, the same shall be marked in and upon the Plan of the said Town to be deposited in the Secretary's office as aforesaid,

If cannot be made otherwise, Commissioners impowered to treat for the same.

and shall be deemed, considered, and taken, to all intents and purposes, as and for One of the Streets of the said Town.

Repealed.

And be it enacted by the Authority aforesaid, That if any Action or Suit shall be brought or prosecuted against any Person or Persons for any Matter or Thing done, committed, or executed, by Virtue of this Act, every such Person so sued or prosecuted may plead the General Issue, and give this Act and the special Matter in Evidence; and if the Plaintiff or Plaintiffs, in any such Action shall discontinue the same, or be Non-suit, or that Judgment shall pass against such Plaintiff or Plaintiffs, he, she, or they, shall pay treble Costs to the Defendant or Defendants in every such Action respectively.

Clauses XIX to XXIV.

Clause XXV.

Persons sued or prosecuted for acting by Virtue of this Act, may plead the General Issue, and give this Act and Special Matter in Evidence; and if such Plaintiff or they discontinue, be Nonsuit, or that Judgment pass against them, to pay Treble Costs.

Clause XXVI.

Public Act.

And be it further enacted by the Authority aforesaid, That this Act shall be deemed and taken to be a public Act, and all and every Judge and Judges are to receive and take Notice of the same as a public Act.

No. XI.

An Act to regulate, restrict, and direct the Conduct of the Public Treasurers of these Islands, and to fix their Salaries. [March 22, 1776.]

WHEREAS it is expedient and for the public Benefit of these Islands, that One public Treasurer should be forthwith appointed for this Island, and another public Treasurer should be appointed for the Island of *Carriacou* and the other *Grenadines*, and that such Treasurers should have reasonable Salaries for acting in the said Offices and discharging the Trusts and Duties thereof, and that they may have the Sanction of a Law to direct them in the Execution of the Trusts and Duties of such Offices :

Preamble.

Be it enacted by your Majesty's most dutiful, loyal, and obedient Subjects, the Commander-in-Chief of the Southern Charibbee islands of *Grenada* and the *Grenadines*, *St. Vincent*, and *Tobago*, the Council and Assembly of the said Islands of *Grenada* and the *Grenadines*, in General Assembly, and it is hereby enacted by the Authority of the same, that the Commander-in-Chief may and he is hereby requested, pursuant to the Powers inherent in the Crown, and his Majesty's Commission authorising him to appoint all Officers, Civil and Military, within his Government, to nominate and appoint some person actually resident in the Island of *Grenada* to be Treasurer of and for the said Island of *Grenada*, and some other person resident in the Island of *Carriacou* to be Treasurer of and for the said Island of *Carriacou* and all other the *Grenadines*.

Clause I.

The Commander-in-Chief requested to appoint a Treasurer for *Grenada* and a Treasurer for *Carriacou*.

And be it enacted by the Authority aforesaid, That the persons so nominated Treasurers as aforesaid shall, before the Governor or Commander in Chief for the Time being, or the Person commanding in the Island, sitting in Council, or before a Quorum of the Council, respectively, enter into a recognizance to the King's Most Excellent Majesty, his Heirs, and Successors, with Two or more, not exceeding Four such good and sufficient Securities, as for each such Treasurer the said Governor or Commander in Chief, and the Council and Assembly, shall approve of, the Treasurer for the Island of *Grenada* in the Sum of Ten Thousand Pounds Current Money of these Islands, and the Treasurer for the Island of *Carriacou* and the *Grenadines* in the Sum of Two Thousand Pounds like Money, for the faithful discharge of their Offices, respectively, before they be capable of acting; and shall also, at the same time, and before they enter upon the said Offices, take all the Oaths commonly called the State Oaths, and make and subscribe the Declaration called the Test, and shall also, respectively, take the following Oath of Office :

Clause II.

The Treasurer for *Grenada* to enter into Recognizance, with sufficient Securities, for £10,000, and the Treasurer for *Carriacou* £2,000 for the faithful Discharge of their Offices.

Oath.

" I do swear, that I will endeavour, to the utmost of my power, in all things to observe, perform, fulfil, and execute the Office of Treasurer of this Island of *Grenada*, (or *Carriacou*, as the case may be) according to the tenor and true meaning of all such Laws of these Islands as do or shall lay or impose any duty upon me."

Treasurers leaving the Islands, without leave, or dying, others to be appointed.

And if any person so nominated as Treasurer shall happen to die, or depart the Island without leave of the Commander in Chief, during his continuance in the said Office, the Commander in Chief is hereby requested, immediately, to call a Council and Meeting of the Assembly, and to appoint some other Person, resident in the said Islands, respectively, to be Treasurer, who is to give the like Security, and to take the same Oath, as hereinbefore directed, and so as often as the case shall happen.

Clause III. Treasurers obtaining leave of absence, to appoint Deputies.

Proviso.

And be it enacted by the Authority aforesaid, That if any such Treasurer shall obtain leave of absence from the said Commander-in-Chief, every such Treasurer shall and may, by Deputation under his Hand and Seal, nominate and appoint some other person to act as his Deputy in the said Office during such his absence; Provided always, That such Deputy be first approved of by the Commander-in-Chief and his Majesty's Council, and also by the persons being Securities for the Treasurer so appointing a Deputy: And it is hereby declared, That every such Treasurer, and his Securities shall be responsible for the acts and conduct of such Deputy respectively, and that the acts of every such Deputy, in all matters relating to the said Office of Treasurer, shall be valid and effectual, as if done by the principal Treasurer himself.

Clause IV. All Taxes to be paid into the Hands of the Treasurers, except such as shall be particularly directed to be otherwise paid.

And be it and it is hereby enacted by the Authority aforesaid, That the persons so appointed Treasurer, or their respective Deputies appointed in pursuance of this Act, and not otherwise, shall be the persons to whom and into whose hands all Taxes and Impositions laid, or to be laid, on any of the people of these Islands of *Grenada* and the *Grenadines*, shall be respectively paid, and no such Taxes or Impositions shall be paid into the hands of any other person whatsoever, save and except such Taxes or Impositions as shall be particularly directed to be otherwise paid by any Act or Acts, now or hereafter to be in force in these Islands.

Clause V.

The Accounts of the Treasurers how to be examined.

And be it further enacted by the Authority aforesaid, That Three Members of his Majesty's Council, and Five Members of the Assembly, to be nominated by each respective Board, or any Five of them, whereof the eldest Member of the Council present to be Chairman, and if none of the Council attend, then the person first named of the Assembly, and present, to preside, are hereby authorised and appointed a Committee for examining all the Accounts of the Treasurers relating to the Public Treasuries, and the said Accounts, together with whatsoever the said Committee shall from time to time do therein, they shall every Three Months, or oftener if required, lay before and report, viz. The Members of the Committee of the Council to the Governor or Commander-in-Chief for the time being and the Council, and those chosen by the Assembly to the Assembly for the time being: Provided always, That any Member or Members of the Council or Assembly, being a Security or Securities for the said Treasurers, or either of them, shall not be appointed of the Committee for examining the said Treasurer's Accounts.

Proviso.

Clause VI.

Salaries to be provided from Time to Time.

And be it enacted, by the Authority aforesaid, That the said Treasurers shall respectively have and receive such Salaries as shall be from time to time provided by any Act or Acts already passed, or that may hereafter be passed, for the raising Supplies to defray the public Expences of this Island of *Grenada* or the *Grenadines* respectively.

Clause VII.

The Offices of the Treasurers, where to be kept, and in what manner, and where they are to receive and pay

And be it further enacted by the Authority aforesaid, That all such Treasurers for the time being shall keep their Offices in the capital Towns of the Island of *Grenada* and of *Carriacou* respectively, and such Treasurers shall be under no obligation to receive or pay away any Sum or Sums of Money, for and on account of the Public of their respective

Islands, in any other places than in their said Offices, save and except such Monies as the said *Grenadines* shall, by any Tax Acts, be ordered to pay as and for their proportion of the general expences of the Colony, all which Monies the Treasurer for the *Grenadines* shall, and he is hereby directed to pay over into the hands of the Treasurer of *Grenada* for the Time being, within One Month after the same shall have been collected and received.

And be it further enacted by the Authority aforesaid, That the Council and the Assembly of these Islands, or a Committee to be by them appointed as aforesaid, shall have it in their power, when and as often as they shall think proper, to call such Treasurers to an Account for all Public Money by them received, or which ought to be by them received; and if any such Treasurer or Treasurers, when required, shall neglect to produce his or their Accounts duly and regularly kept and stated, or refuse or neglect to pay any Order or Warrant in due course, as directed by this Act, having Public Money in his or their hands to the amount of such Warrant or Warrants respectively, such Treasurer or Treasurers shall, for every such offence, forfeit to his Majesty, his Heirs, and Successors, for the public Uses of these Islands, the Sum of One Hundred Pounds Current Money, to be recovered by Warrant of Distress issuing from the Committee of the Council and General Assembly, and to be levied on the Goods and Chattels of the said Treasurer or Treasurers, or his or their Securities.

And be it further enacted by the Authority aforesaid, That if any such Treasurer shall pay or dispose of any Money out of their respective public Treasuries to any person or persons, or upon any account or pretext whatsoever, without an Order first duly had and obtained, in manner hereinafter for that purpose directed, unless where it hath been or shall be otherwise directed by any Act or Acts of the said Islands already passed or hereafter to be passed into a Law or Laws, all and every such Sum and Sums of Money so paid and disposed of without such Order first had and obtained, or unless directed as aforesaid by any Law or Laws, shall not be allowed to any such Treasurer in the Adjustment or Settlement of his Accounts.

And be it further enacted by the Authority aforesaid, That all Orders that shall be passed for the payment of any Sum or Sums of Money, when passed shall be paid in course, according to the priority of their respective numerical Order, excepting such Orders as shall be for the extraordinary, immediate, and emergent service of the Country. And, to the end no mistake may be made, the Secretary is hereby required, under the Penalty of forfeiting One Hundred Pounds Current Money aforesaid to his Majesty, his Heirs and Successors, for the public Uses of these Islands, to be recovered by Warrant of Distress, issuing from the Committee of the Council and Assembly, and to be levied on the Goods and Chattels of the Person or Persons offending, to number every Order, and deliver to the Treasurers respectively, or to their Order, as often as demanded, a Schedule of the Dates, Numbers, and Amount of such Orders, and to whom payable, from Time to Time after the passing thereof, to be set up in a Table for public view, at the Treasurer's Office, from which such Order is to be paid.

And whereas it is necessary that all Accounts against the Public should be strictly examined, that no exorbitant charges may be made, or any unjust Accounts paid by the public Treasurer; Be it therefore enacted by the Authority aforesaid, and it is hereby enacted, That a Committee of Public Accounts, consisting of Three Members of the Council and Five of the Assembly, appointed by their respective Boards, before which Committee, or a Quorum thereof, all Demands against the Public shall be laid, and if approved by the said Committee, or Quorum thereof, shall be numbered according to the priority the said Committee shall establish, and the said Committees respectively shall take the earliest opportunities to lay and report their proceedings, viz. The Members of the Committee of the Council to the Governor or Commander in the Island for the Time being, and the Council, and those chosen by the Assembly to the Assembly for the

away the public Money.

Clause VIII.
The Council and Assembly or a Committee of them may call the Treasurer to account whenever they think proper.

Treasurers neglecting or refusing to produce their Accounts, regularly kept, to forfeit £100 Currency.

Clause IX.
Sums paid by the Treasurers without due Authority, not to be allowed in Settlement of their Accounts.

Clause X.
Orders for the Payment of Money to be paid according to Priority, except they be for the emergent Service of the Country. The Secretary neglecting to number every Order and give a Schedule thereof to the Treasurer, to forfeit £100 Currency.

Clause XI.
All Demands against the Public, to be laid before a Committee of the Council and Assembly.

In what manner the Committee are to report their Proceedings, and how Debts against the Public are to be fixed.

The Commander-in-Chief, or Person commanding in his Absence, to issue Warrants to the Treasurer, on Petition, for the payment of Debts so fixed; such Warrants to bear the same Number as the Debts.

Time being; and after the House of Assembly shall have examined and considered the Report of their Committee, they shall, by Message, signify to the Council their having agreed to or dissented, and in what particulars, from the Report of their Committee, and desire the concurrence of the Council thereto, which when obtained, or when both Houses shall have agreed in their Resolutions, all Debts so fixed shall be considered as just and established Debts against the Public, and then, but not sooner, it shall and may be lawful for the Governor or Commander-in-Chief for the Time being, or in his absence the person commanding in the Island, and he is hereby required, upon Petition or Petitions to him in Council from the Person or Persons to whom such Debts are due, to issue his Warrant or Warrants to the proper Treasurer for the payment of the Sum or Sums so fixed to be due; and such Warrant or Warrants shall bear the same Number as that which shall be affixed to the Debts in the final Resolutions of both Houses, and to be paid by the Treasurer in the manner directed by the Tenth Clause of this Act, which Warrant or Warrants, properly discharged, shall be deemed and taken as proper Vouchers from the respective Treasurers in the Settlement of their respective Accounts.

Clause XII.

When and in what manner the Treasurers are to fix up an Account of the Gross sums of Money received and paid by them.

And, that the Treasurers may not refuse Payment of Orders upon them under pretence only that they have no Money in their respective Treasuries, and that all Merchants, Traders, and other Persons, that shall have any Dealings with the Public, may be apprised of what Money comes into the Treasury, for the payment of Orders in course, according to their Number, Be it enacted by the Authority aforesaid, That the Treasurer of *Grenada*, from and immediately after the Publication of this Act, shall, on the first *Monday* in every Month successively, faithfully publish and set up, at the Custom-House in *St. George Town* and at the Treasurer's and Secretary's Offices in this Island, and the Treasurer of the *Grenadines* shall, on the same days, faithfully publish and set up, at some public place in *Hillsborough*, and at his Office, an Account of the Gross Sums of Money respectively received, and in like manner of the Gross Sums of Money paid on every distinct Fund or Tax whatsoever uncollected, that have or shall be raised on the Inhabitants of these Islands, and shall, at the bottom thereof, mention the last Order paid by the Treasurer, its Number and Date, in like manner as is practised in England by his Majesty's Court of *Exchequer*; and any Treasurer that shall fail of this duty herein, shall, for every such offence, forfeit the Sum of One Hundred Pounds Current Money of these Islands.

Treasurers failing therein to forfeit £100 Currency.

Clause XIII.

Treasurer removed from his Office for Misconduct, incapable of enjoying the same again.

And be it further enacted by the Authority aforesaid, That any Treasurer who shall be removed from his Office for any Misconduct or Neglect in the due and faithful execution thereof, shall be, and he is hereby declared to be rendered incapable of ever enjoying the same Office or Appointment again.

Clause XIV.

The Treasurer's Books to belong to the Public, and may be inspected by the Committee or any Member of it.

And be it further enacted by the Authority aforesaid, That the Books kept by the Treasurers as such, shall belong to the Public, and that the Committee, or any Member of the Committee, appointed for the Inspection of Public Accounts, shall, at his or their will and pleasure, at Office Hours, have full power to inspect and examine the Public Books, and that the said Books shall be marked, *Public of Grenada*, and *Public of the Grenadines*, respectively, and numbered A, B, &c.

Clause XV.

On what Days, and at what Hours the Treasurers are to keep their Offices open.

And to prevent any Doubts or Disputes touching the Hours in which the Offices of the said Treasurers shall be open for the access of all persons having business to transact in the same, Be it enacted and ordained, That the said Treasurers shall and hereby respectively required to keep their Offices open every day, (Sundays and the Christmas Holydays only excepted) from the hour of Nine o'Clock in the Morning until One of the Clock each day, under the pain of forfeiting Ten Pounds for every Neglect or Omission therein, to be deducted out of his Salary and Allowance, on any complaint thereof made before and proved to the satisfaction of the

£10 Penalty for every neglect, and removal from Office in case of repeated offences.

Governor and Council, and under the pain of removal from their said Offices in case of obstinate and repeated offences, to be complained of and proved as aforesaid.

And be it further enacted by the Authority aforesaid, That all Forfeitures incurred by Virtue of this Act, the application whereof is not herein already provided for, shall be to his Majesty, his Heirs and Successors, for the public Uses of these Islands, and to be recovered by Action of Debt, Bill, Plaint, or Information, in any Court of Record therein.

Clause XVI.
Forfeitures not specially applied, how to be recovered, and applied.

No. XII.

An Act for incorporating the Trustees and Directors of the Colony Hospital in this Island, and for vesting, in them and their Successors, the Lands, Buildings, Ground and other Rents, belonging to the said Hospital Estate, and for confirming and enlarging their Powers, for the better Management and Disposition of the said Charity. [April 22, 1778.]

Vide Act, No 25.

WHEREAS, sometime in or about the Year of our Lord, One Thousand Seven Hundred and Thirty-eight, whilst this Island of *Grenada* was part of the Dominions of the Crown of *France*, a certain Colony Hospital, for the reception of poor and indigent sick people, was established, partly by the charitable Subscriptions of the Inhabitants, and partly by the Royal Bounty of his Most Christian Majesty ; by means whereof, certain Lands were purchased, and appropriated for the Support and Maintenance of the said Hospital ; part of which Lands was then or soon afterwards, made a Sugar Plantation, and the Revenues thereof duly applied for this charitable purpose ; And whereas, so long as this Island remained under the Dominion of the Crown of *France*, the said Estate and the Revenues thereof, and the conduct and management of the said Hospital, and of the sick persons received therein, were usually placed under the direction, and entrusted to the care of certain Members of some one or other of the Religious Orders established in the Island of *Martinico*, which said Members were appointed to such their charge by his Most Christian Majesty, or by the General or Intendant of the said Island of *Martinico*, and were for this purpose invested with Corporate Capacity, and with all necessary Powers and Authorities for the due Execution of the Trusts committed to them : And whereas, from and after the Cession of the said Island of *Grenada*, the Management of the said Hospital Estate and Concerns, being no longer in the same Hands, and no other provisions having been made, either by his Most Excellent Majesty or by any Law of this Island, for the Superintendence and Direction of the same, His Majesty's Captain-General, and Governor in Chief of the *Southern Charibbee* Islands, did, in his Capacity of Chancellor thereof, nominate and appoint certain Persons as Trustees and Directors of the said Hospital, who were to act under the Inspection and Controul of the Court of *Chancery* of this Island, and to report their Proceedings and Accounts to the said Court : And whereas the said Court of *Chancery* did, from Time to Time, give such Orders and Directions touching the Revenues and Concerns of the said Hospital, as were thought expedient and advisable, and more particularly with a View of Discharging the heavy Debts, with which the said Hospital Estate was incumbered, and which had, in a great Measure, frustrated and defeated the charitable Intentions of the first Founders thereof, the Court of *Chancery* did, by a certain Order, made on the Fifth Day of July, in the year of our Lord One Thousand Seven Hundred and Seventy-one, direct that Sundry Lots of Land, belonging to the said Hospital, and for that Purpose laid out by *Daniel Philips*, Esquire, a Sworn

Preamble.

Surveyor of this Island, should be sold at public Out-cry to the highest Bidder, subject to certain Annual Ground Rents ; and did thereby authorize the Trustees of the said Hospital, for the Time being, to make Leases of the said Lots to the highest Bidders or Purchasers thereof respectively, according to the Terms and Conditions of such Sales ; And whereas, in Pursuance of such Order of the Court of *Chancery*, the said Lots of Land were accordingly disposed of at public Out-cry, but many of the highest Bidders for the same did afterwards decline to complete such Purchases or to pay the Amount of such their Biddings, from some Doubt and Apprehension of the legal Authority of the said Trustees to make valid and effectual Leases, and the said Trustees having no Corporate Capacity, nor sufficient Power to compel the said Bidders to complete their Purchases, the Amount of many of the said Biddings and of the Rents reserved thereon, remains to this Day unpaid, to the great Diminution and Prejudice of the Revenues of the said Hospital, and of the Charity of the said Foundation ; And whereas, for Want of being formed into a Body Corporate, the Trustees have in some Instances been sued and impleaded at Law, in their private Persons and Capacities, for Contracts by them made on Account and for the Use of the said Hospital : And whereas the Lease of the Sugar Plantation belonging to the said Hospital will shortly expire, and fresh Difficulties may arise from the Want of sufficient legal Authorities in the said Trustees to grant a new Lease or Leases thereof ; And whereas certain other Lands, belonging to the said Hospital Estate, which now remain uncultivated and yield no Revenue for the Benefit of said Charity, may be let out and advantageously disposed of, if sufficient legal Powers were given for that purpose to certain Trustees and Directors to be from Time to Time nominated.

Clause I.

Governors and Directors appointed.

And incorporated.

Their Powers.

And whereas nothing will so effectually tend to put the Management and Direction of the said Hospital and its Revenues upon a proper footing, and to render the said Charity of the utmost utility for the Relief of indigent sick persons, as to form the Trustees and Directors thereof into a Corporation subject to the Visitation of the Chancellor of this Island for the Time being : May it therefore please your Most Excellent Majesty, at the humble Instance and Petition of your Majesty's Most dutiful Subjects, the Honorable *William Lucas*, Esquire, *Sir Peter Francis Laurent*, Knight, the Rev. *James M'Kenzie*, Clerk, *Alexander Middleton*, *John Knight*, and *Thomas Bennett*, the present Trustees of the said Hospital, that it may be and it is hereby enacted and ordained by your Majesty's most loyal and obedient Subjects, your Majesty's Captain-General and Governor-in-Chief in and over your Majesty's Islands of *Grenada*, the *Grenadines*, and *Tobago*, the Honorable the Members of your Majesty's Council, and the General Assembly of *Grenada* and the *Grenadines* : And it is hereby enacted and ordained, by the Authority of the same, That the said *William Lucas*, *Sir Peter Francis Laurent*, *James M'Kenzie*, *Alexander Middleton*, *John Knight*, and *Thomas Bennett*, together with the President of his Majesty's Council, so long as he is not Commander-in-Chief of the Government, the Speaker of the Assembly, his Majesty's Chief Justice of the Court of *Common Pleas*, his Majesty's Attorney-General, his Majesty's Solicitor-General, and the Rector of the Parish of *St. George*, all for the Time being, and such other Persons as shall for this Purpose be named by the Governor or Commander-in-Chief for the Time being, not exceeding Nineteen in number, and their Successors officially appointed or to be from Time to Time nominated as aforesaid, shall be and they are hereby incorporated and made one Body Politic and Corporate, by the Name of the Governor and Directors of the Colony Hospital of *Grenada*, and, in their said Name shall have perpetual Succession, and shall and may use a separate and distinct Common Seal for the necessary Affairs of the said Corporation, and also have Power and Capacity in Law, by their Name aforesaid, to sue and be sued, implead and be impleaded, answer, and be answered unto, in any Court or Courts of

Record, or any other Place whatsoever ; and shall and may, by the Name aforesaid, be able and capable in Law to have, purchase, receive, possess, enjoy and retain to them and their Successors, Lands, Rents, Tenements, and Hereditaments, of what Nature, Kind, or Quality soever, not exceeding in the whole, the Yearly Income or Value of Five Thousand Pounds Current Money of *Grenada* ; and also to sell, grant, demise, alien, or otherwise dispose of the same, as occasion shall require ; and, by the name aforesaid, to make and execute, and also to receive any Contracts, Covenants, Writings obligatory, Deeds, Conveyances, and Assurances whatsoever, and generally to do, perform, and suffer, by the Name aforesaid, all and singular other lawful Matters and Things which to them shall or may appertain, or be requisite or expedient for them to do, perform or suffer : Provided, That all purchases of Lands, Tenements, Rents, and other Hereditaments to be made by the said Governor and Directors and their Successors, be so made, with the approbation and consent of the Chancellor of the said Island, for the Time being, who is hereby declared to be sole Visitor of the said Corporation, and to have the power of visiting the same, at all times, and to have all other powers belonging to a Visitor, according to Law : And also provided, That all Deeds and Conveyances, hereafter to be made by the said Governor and Directors and their Successors, for the granting any Lands, Tenements, or other Hereditaments, now belonging to, or which hereafter may belong to the said Hospital or Charity, and become in them vested, the said Governor and Directors, and their Successors, in Virtue of this Act or otherwise, be so made with the like approbation of the said Chancellor, testified by an Indorsment upon the Back of each respective Deed or Conveyance, and Countersigned by his Secretary, otherwise to be void and of no effect whatsoever.

Proviso.
All Purchases of Lands to be made with the approbation of the Chancellor.
Who is declared Sole Visitor.

All Deeds and Conveyances to be approved by the Chancellor.

And be it enacted, by the Authority aforesaid, That such Governor and Directors shall respectively continue in the said Office, during their Residence in this Island, unless any of them shall voluntarily resign the same, or be removed therefrom by Order of the Governor or Commander-in-Chief, for the Time being, who is hereby authorised and empowered, from Time to Time, as he shall see Occasion, to remove any of the said Directors, by Order in Writing therein specifying the Reason or Reasons of such Removal or Removals respectively, and to appoint Successors in their Room, also to fill up all Vacancies which shall happen by the Death, Resignation, or Departure from the Island of any of the first incorporated Directors or any of their Successors from Time to Time to be appointed as aforesaid : Provided always, That any Five of the said Directors for the Time being, meeting and forming a public Board, according to Notice given at least Eight Days before in the *Grenada Gazette*, and not otherwise, shall be, and they are hereby declared to be a Board or sufficient Number to do and transact all and singular the Matters and Things required of the Governor and Directors, which they are directed or empowered to do by this Act, and to carry into Execution the several Trusts and Purposes thereof, with as full Power and absolute Authority, to all Intents and Purposes, as if the whole Nineteen Directors were present and concurred therein, and that such Board of Five shall and may, at all Times, act with full Power and Authority in the Premises, notwithstanding any vacancies, whereby the full Number of Directors, incorporated by this Act, shall at any Time happen not to be filled up and complete, subject always to the Controul and Visitation of the Chancellor, as provided in this Act.

Clause II.
Governor and Directors while residing in the Island to enjoy the said Office, unless removed therefrom by voluntary Resignation, Death, or the Order of the Commander-in-Chief.

Any Five of the Directors to constitute a Board, upon Eight Days Notice being given in the *Gazette* previous to such Meeting.

Subject to the Controul and Visitation of the Chancellor.

And be it hereby enacted, by the Authority aforesaid, That all and singular the late Sugar Plantation, now cultivated in Indigo and Cotton known by the Name of the Hospital Estate, situate, lying, and being in the Parish of *St. George*, and now in the possession of *Charles Pearce* as Assignee of the Lease thereof made to *Thomas Shepherd*, with all and every the Buildings and Edifices thereon, or on any Part thereof erected, standing and being, with their and every of their Rights, Members, and Appurte-

Clause III.

Conveyance of all Lands, Tenements, and Hereditaments belonging to the Hospital, to the Governor and Directors.

Trusts declared.

Power to demand Monies due to the Hospital for Rents or otherwise.

On default of payment to enter upon and take Possession of the Lands and to hold the same upon the Trusts hereinafter declared.

In case of Payment, or where no Fines, Biddings or Rents are due to grant Leases.

nances, together with all and singular the Cattle, Mules, and other live and dead Stock to the said Plantation belonging, or which the said Colony Hospital is in any wise seised or interested or entitled unto, and also all other Lands, Tenements, and Hereditaments, of what Nature or Kind soever, forming Part, or deemed, reputed, known or taken as in anywise belonging or appertaining to or as Part, Parcel, or Member of the said Colony Hospital Estate; and all Lots of Land, of which Leases were heretofore exposed to public Sale, and all Buildings erected thereon, and also all Ground Rents and other Rents and Reservations whatsoever, at any Time heretofore reserved and made payable to the former Trustees or to any other Person, for the Use of the said Colony Hospital, upon any Grants or temporary Occupations of any Part of his Majesty's Lands along the Sea Shore, and the Fee simple and Inheritance, Reversion and Reversions, Remainder and Remainders, Rents, Issues and Profits of all and singular the said Plantation, Buildings, Tenements, and Hereditaments, and of all and singular other the Premises, with their and every of their Appurtenances, shall be, from the day of Publication of this Act, absolutely and fully vested, and the same are, from the day aforesaid, hereby absolutely and fully vested in the said *William Lucas, Sir Peter Francis Laurent, James M'Kenzie, Alexander Middleton, John Knight, and Thomas Bennett*, together with the President of his Majesty's Council, so long as he is not Commander-in-Chief of the Government, the Speaker of the Assembly, the Chief Justice of his Majesty's Court of *Common Pleas*, his Majesty's Attorney-General, his Majesty's Solicitor-General, and the Rector of the Parish of *St. George*, all for the Time being, and such other Person or Persons as for this Purpose shall, from Time to Time, be named by the Governor or Commander-in-Chief for the Time being, not exceeding Nineteen in the Whole, and their Successors, to the Use and Behoof of them the said Directors and their Successors, upon the several Trusts and to the Intents and Purposes next hereinafter mentioned; that is to say, to the Intent that the said Directors and their Successors do and shall forthwith ask, demand, sue for, recover and receive, of and from all Person or Persons whatsoever possessing any or any Part of the Lands, Tenements, or Hereditaments hereby vested in the said Corporation, or intended to be, and of and from all other Person and Persons whatsoever, whom it doth now or shall at any Time hereafter Concern, all such Fines, Biddings, Rents, Arrears of Rent, Sum and Sums of Money whatsoever, due or owing for or on Account of any Sales, Leases, or Contracts, at any Time heretofore made by any former Trustees of the said Hospital, by any Order or Orders of the said Court of *Chancery*, or under the Sanction or Authority of any former Governor or Commander-in-Chief of this Government, or for or by Reason of any Reservations contained in any Grants or temporary Occupations of his Majesty's Lands along the Sea Shore, and in Default of due Payment thereof, to enter upon, and by all lawful Ways and Means whatsoever, to take Possession of all such Lands, Tenements, and Hereditaments, and hold the Same to the said Governor and Directors, and to their Successors, upon the several Trusts, by this Act declared and hereafter expressed, of and concerning the uncultivated and unleased Lands of the said Hospital Estate. But in case of Payment of such Fines, Biddings, Rents, Arrears of Rent, Sum and Sums of Money, by the Person or Persons so in Possession, as aforesaid, or where no Fines, Biddings, or Rents, remain due and payable, as aforesaid, Then upon Trust, that the said Governor and Directors and their Successors do and shall seal, deliver, and execute to the several Tenants so in Possession, as aforesaid, and consenting to seal and deliver Counterparts thereof, good, valid, and sufficient Leases, ratifying their Titles to the Lands and Tenements by them respectively possessed, upon such Conditions, and subject to such Rents and Covenants, as the same were originally sold or intended to be sold and made subject and liable to; And upon the further Trusts, that the said Governor and Directors do, shall and may, from Time to Time,

and after at least One Month's public Advertisement thereof, expose to sale, to the highest Bidder, one or more Lease or Leases of all and singular the now uncultivated and unleased Lands, belonging to the said Estate, as well as the said Plantation, and Premises now possessed by the said *Charles Pearce*, as soon as the present subsisting Lease thereof shall expire, and also of all other Lands and Tenements which the said Corporation shall, at any Time hereafter, acquire by Gift, Purchase, or otherwise howsoever, which said Lease or Leases of the said Particulars shall be made, in such Lots or Parcels, for such Term of Years, *Not exceeding Twenty-one Years, for Country Lots,** and Ninety-nine Years for Town Lots, or for such Life or Lives not exceeding Three Lives in being, under such Annual Rents and upon such Conditions and Covenants in all respects as the said Governor and Directors or their Successors shall, in their Discretion and Judgment, think most expedient, reasonable and likely to promote and increase the Revenues of the said Corporation to the best Advantage, so as such Lessee or Lessees be not made punishable of Waste, and that in all and every such Lease or Leases, there be inserted proper Powers of Distress and Re-Entry, in case of Non-payment of the Rent thereby to be reserved and so as Counterparts of all and every such Lease or Leases be duly executed and delivered by such Lessee or Lessees respectively. And provided all such Lease and Leases be respectively made by and with the Consent and Approbation of the said Chancellor for the Time being, testified in Manner herein before directed, for the Approbation of Deeds and Conveyances to be made by the said Governor and Directors and their Successors, as herein before mentioned.

Power to lease out all the unleased or uncultivated lands, as well as the Plantation &c. after the expiration of the present Lease.

Leases of Country Lots not to exceed 21 Years; Leases of Town Lots not exceed 99 Years of Three Lives in being.

Rents reserved by such Leases at the Discretion of the Governor and Directors.

Leases how to be made.

And to the Intent that all and every such Lessee or Lessees, Purchaser or Purchasers may securely enjoy their respective Possessions: Be it and it is hereby further enacted and declared, That the Receipt or Receipts, which shall be given by the Treasurer or Treasurers of the said Hospital, for the Time being, to be duly appointed under the Hands and Common Seal of the said Governor and Directors or a Board of the Same, for any Fines, Biddings, Rents, or other Monies whatsoever paid for the Use of the said Corporation, under the Provisions and Conditions above-mentioned, shall be a good and effectual Discharge, both at Law and in Equity, to the Persons respectively paying the Same, for the Sums so respectively paid, and that such Persons or their respective Heirs, Executors, Administrators or Assigns shall not afterwards be in anywise liable or responsible for any Loss or Misapplication, which shall or may happen to be made, of all or any Part of the Monies so paid to such Treasurer or Treasurers. And upon further Trust, That the said Governor and Directors and their Successors, do and shall and they are hereby directed and required, to pay and apply the Monies, arising and to arise from the said Fines, Biddings, Rents, and Arrears of Rents, and all other Monies which shall, by Gift, Devise, or otherwise howsoever, come into their or either of their Hands, for the Use of the said Corporation and Charity, in Manner following, that is to say:—In the first place, to pay off and satisfy all and singular the Charges and Expences attending the preparing and passing this present Act, and all future Charges and Expences attending the Publications and Advertisements touching the Affairs and Concerns of the said Corporation, or touching the preparing, executing, proving, and recording any Contract, Sales, Leases, or other Instruments of Writing, which shall be found requisite or expedient for the better effecting the Purposes of this Act, and, in the next place, to pay off, discharge, and acquit all and singular the just Debts, which shall be found due and owing, from the said Hospital Estate or Foundation, to any Person or Persons whomsoever, for or on Account of any Appraisalment, or Re-appraisalment, made or to be made, or for or by Reason of any Contract, Bargain, Matter, or Thing

Preamble.

Clause IV.

Treasurer's Receipt to be a sufficient Discharge for all Monies due for Rents, Biddings, or otherwise.

Further Trust declared.

* Extended to 99 Years.—No. 25, Clause 1.

whatsoever, heretofore made by the former Trustees of the said Hospital, or hereafter to be made by the hereby incorporated Governor and Directors thereof. And, in the last Place, to pay and apply the rest, residue, and remainder of all such Monies, in furnishing, fitting up and providing the present Building, called the Hospital, or any other Building, which shall be thought more expedient and proper for that Purpose, with Beds and all other Necessaries and Conveniences whatsoever, for the Reception, Entertainment, and Cure of such a Number of poor and indigent free Persons labouring under any Distempers, Infirmities, or Disorders, as the Funds and Revenues of the said Corporation shall, from Time to Time, be found capable of receiving, entertaining, and curing, and in employing either constantly by the Year, or occasionally as shall be found most expedient, One fit Person to Act as Treasurer and Secretary, and another as Physician, Surgeon and Apothecary, with a sufficient Number of Nurses, Attendants and other Servants necessary to be employed in and about the Revenues and Concerns of the said Corporation, and in and about the Care and Attendance of the sick Patients to be received into the said Hospital, in such Manner and under such Regulations as the said Governor and Directors shall judge most likely to render the said Charitable Foundation of the greatest and most extensive general Utility: Provided that all such Buildings, Alterations and Repairs be made with the Approbation and Consent of the said Chancellor for the Time being, in all Cases where the same shall exceed the Sum of One Hundred Pounds Current Money of the said Island of *Grenada*.

Directors empowered to employ a Treasurer and Secretary, and a Physician, and an Apothecary, Nurses, and Attendants.
Vide Act, No. 25, Clause 4.

Proviso.
That all Buildings, &c. which shall exceed the value of £100 to be made with the Approbation of the Chancellor and not otherwise.

Clause V.
Order of Precedency to be observed by the Governor and Directors.

All Matters relating to the Business of the Corporation to be determined by a Majority of Directors present at such Meeting as, for such Purposes, shall be from Time to Time fixed.

Power to take from the Treasurer and Secretary Security for the faithful Performance of his Office.

Power to make Bye-Laws under certain Restrictions and Regulations.

And be it hereby enacted by the Authority aforesaid, That the Director first named in this Act shall be the Governor of the said Corporation, during his residence in this Island, and that, during his Absence or upon his Death or removal, such Director next named in this Act shall succeed as Governor, and so in Order and Succession to each of the Rest in Nomination and to such Others as shall be named by his Majesty's Governor or Commander-in-Chief, according to the Dates of their respective Nominations and Appointments; And that, in all Elections and Appointments of such their Officers and Servants and in all other Matters and Questions whatsoever, touching the Regulation of the Revenues of the said Corporation, or in the leasing out of its Lands and Tenements, or touching the good ordering and Management of the Hospital and of the sick Patients therein, and in all other Matters whatsoever, in any wise relating to the Business or Concerns of the said Corporation, the same shall be regulated and determined by the Majority of Voices of such of the said Directors as shall attend at the Meeting or Meetings, for that Purpose, from Time to Time, to be fixed, and that it shall and may be lawful to and for the said Governor and Directors and they are hereby declared to have full Power to take, from the Treasurer and Secretary, Security by Bond or otherwise, for his faithfully accounting for all Monies, belonging to the said Colony Hospital, which shall come to his Hands, and also full Authority, Power and Faculty of framing, constituting, ordaining and Establishing, from Time to Time, such like Laws, Statutes, Ordinances, and Constitutions as to them or the greater Part of them shall be thought good, profitable, wholesome, and necessary for the good Rule and Government of the said Corporation and its Concerns, and of all and singular its Officers and Servants, and of the sick Patients received into and entertained in the said Hospital: Provided always, that the said Laws, Statutes, Ordinances, and Constitutions be reasonable and not repugnant or contrary to the Laws of *Great Britain* or of the said Island of *Grenada*, and that the said Laws, Statutes, Ordinances and Constitutions be respectively approved of and assented to by the said Chancellor, for the Time being, and the same are hereby declared incapable of having any Force, until such Approbation and Assent shall be obtained: And provided also that such Laws, Statutes, Ordinances, and Constitutions do not authorise or empower the Visitor, Governor, or Directors to take

any Fees or Rewards whatsoever, for any thing by them to be done in carrying the Purposes of this Act into Execution.

Repealed, by No. XXV. Clause VI.

And be it further enacted by the Authority aforesaid, That the said Governor and Directors shall, and they are hereby required, on the first day of January in each Year, or within Twenty Days thereafter, to make out and deliver to his Majesty's Governor or Commander-in-Chief, for the Time being, a just, fair, true and General State and Report of the Concerns of the said Corporation, signed with their Names and attested under their Common Seal, so as to establish a clear and distinct View of the Yearly Revenues and Disbursements of the said Charity, of the new Leases made, and of the Terms thereof, and of all other Transactions, relating to its Income and Expence, together with a List of the Patients received into and discharged therefrom, and the State and Condition of the Beds, Furniture, and other Necessaries and Conveniences, remaining therein, and Copies of the Bye-Laws and Ordinances, which shall be made, in each respective Year, by the said Governor and Directors, for the Regulation of the Concerns; Saving always, and reserving to the King's Most Excellent Majesty, his Heirs and Successors, all his Rights to erect Platforms, Batteries, and other Works, for the public Defence, on any Part or Parts of the said Hospital Estate, all which Rights are hereby fully acknowledged and declared, and saving to the King's Most Excellent Majesty, his Heirs and Successors, all other his Rights whatsoever; And saving also, to all and every other Person and Persons whatsoever, Bodies Politic and Corporate, their Heirs, Successors, and Assigns, other than the Trustees of the said Hospital, upon whose Application and Request this present Act is made, all his, her, and their Right, Title, and Interest, Claim, and Demand whatsoever of in or to the Premises by this Act vested in the said Corporation, or of in or to any Part or Parcel thereof; any thing herein contained to the Contrary thereof, in anywise notwithstanding.

Clause VI.

Clause VII.

Directors once a Year to make out a fair State and Report of the Concerns of the Hospital and lay the Same before the Commander-in-Chief.

PROCLAMATION.

GEORGE THE THIRD, by the Grace of God, of Great Britain, France, and Ireland, King, Defender of the Faith, and so forth.

To all our Loving Subjects of our Island of Grenada and its Dependencies, and to all others whom these Presents shall or may concern.

Whereas by the eighth Article of the late definitive Treaty of Peace, made between us and his most Christian Majesty, signed at Versailles on the third day of September now last past, and duly ratified on the nineteenth day of that month, the most Christian King did restore to Great Britain the Islands of Grenada, the Grenadines, St. Vincent, Dominica, St. Christophers, Nevis, and Montserrat: And by the twentieth Article of the same Treaty, it was agreed, that we should, at the end of three months after the ratification of that Treaty, or sooner if it could be done, enter again into the possession of the aforesaid Islands.

And whereas we have constituted and appointed our trusty and well-beloved Edward Matthew, Esquire, Lieutenant-General of our Forces, to be our Captain-General and Governor-in-Chief in and over the Island of Grenada, and such of the Islands commonly called the Grenadines to the southward of the Island of Carriacou, including that Island, and lying between the same and Grenada, in America, Chancellor, Ordinary, and Vice-Admiral of the same; and by our commission to him, under the Great seal of Great Britain, have authorized and empowered him, with the advice of our Council, to summon and call a General Assembly of the freeholders and Planters in the Islands under his government, in such manner

as in our instructions is prescribed, to the end that our said Governor, with the consent of our said Council and the Representatives of the people to be summoned as aforesaid, may make, constitute, and ordain laws, statutes, and ordinances, for the public peace, welfare, and good government of our said colonies, and of the people and inhabitants thereof, as near as may be agreeable to the Laws of our Kingdom of Great Britain, under such restrictions and regulations as have been observed heretofore in our said colonies : And we have also given powers, under our great seal, to our said Governor, to erect and constitute, with the advice of our said Council, Courts of Judicature and Public Justice, within our said Island of Grenada, for the hearing and determining all causes, civil as well as criminal, according to law and equity, as near as may be agreeable to the Laws of England.

And whereas, until such General Assembly can be summoned and called together for the purpose aforesaid, it is proper that our loving subjects should be informed of our paternal care for the security of the liberties and properties of those who are or shall become inhabitants of our said Islands : We have, therefore, thought fit, with the advice of our said trusty and well beloved Edward Matthew, Esquire, our Captain-General and Governor-in-Chief of our Islands aforesaid, and of our Council of the same, to issue this our royal proclamation hereby to publish and declare to all our loving subjects, that by the restitution of the said Islands to our Crown, all our subjects inhabiting the same, became entitled to the enjoyment of the benefit of the laws of the realm of England, as far as the state and circumstances of our said colonies permit ; that such laws, accordingly, became in force, and all other laws, jurisdictions, offices and modes of proceedings, lately ceased and determined : And we do hereby, with the advice aforesaid, constitute and erect anew all and every the Courts of Judicature and Public Justice, civil as well as criminal, which had been erected and were existing in our said Island of Grenada at the time of the capture thereof by the arms of his most Christian Majesty, hereby authorizing, requiring, and commanding the several Judges, Justices, and other officers of our said Courts, the several Justices of the Peace, Constables, and other Ministers of Justice, as well in Grenada as in the Grenadines thereon dependent, who were duly authorized and empowered thereto at that period, and whose posts and offices have not been already vacated or superseded by other appointments thereto made by us or by our said Captain-General, forthwith to resume, enter upon, and discharge the duties of their said several offices and places respectively, in such manner and form, and according to such laws and mode of proceedings as were observed and in force previous to the capture of our said Islands as aforesaid, or in such other mode as shall hereafter be established by our said Captain-General, with the advice of our Council and Representatives of the people as aforesaid, and to continue in the exercise and discharge of their said respective offices, until our Royal will and pleasure shall be otherwise declared with regard to such appointments : And we do hereby strictly command and enjoin all our officers, civil and military, and all others our loving subjects, to be aiding and assisting to our said Judges, Officers, and Ministers of Justice in the discharge of their several and respective duties, for the administration of justice and the preservation of peace and good order within our said Islands.

And we do hereby declare it to be our Royal will and pleasure, that the several parishes, towns, bays, and other places within our said Islands, shall henceforth be called by the several English names which they bore, respectively, before the said capture, and that in all acts, records, and other public proceedings, such English names, and no others, shall be made use of in describing the same.

And we do further declare it to be our will and pleasure, and do hereby strictly enjoin and require it, that all who have acted as Notaries in our said Islands, whilst the same were under the dominion of his most Chris-

His Majesty, forthwith upon the publication of this proclamation shall collect all minutes, plans, surveys, and conveyances of all kinds, mortgages, marriage contracts, last wills, and all deeds, papers, and instruments of writing, whatsoever, made or attested by any of the said Notaries in their said capacity, since the third day of July, 1779, and not already lodged in the Register's Office of our said Islands, and arrange them according to their nature in separate bundles, inclosed in inventories mentioning each paper contained in each respective bundle, and deliver them into the Register's Office of this our Island of Grenada within fifteen days from the date hereof.

And we do hereby forbid all persons whatsoever to presume to act in opposition to our declaration hereby published, under pain of our highest displeasure.

Witness Edward Matthew, Esquire, Lieutenant-General of his Majesty's Forces, Captain-General and Governor-in-Chief in and over the Island of Grenada and such of the Islands commonly called the Grenadines to the southward of the Island of Carriacou, including that Island, and lying between the same and Grenada, in America, Chancellor, Ordinary, and Vice-Admiral of the same.

Given at our Town of St. George, the tenth day of January, in the year of our Lord one thousand seven hundred and eighty-four.

EDWARD (L. M. S.) MATTHEW.

By his Excellency's command.

GOD SAVE THE KING.

No. XIII.

An Act for the supplying the Want of Fines and Recoveries in these Islands, and for making any Deed or Deeds duly executed and acknowledged, before any of His Majesty's Justices of the Court of *Common-Pleas*, in the Kingdom of *England* or *Ireland*, or any of these Islands, equivalent to a Fine and Recovery or Fines and Recoveries, duly and regularly levied and suffered in any of His Majesty's Courts of *Record* at *Westminster*.
[March 9. 1784.]

WHEREAS Fines with Proclamations and common Recoveries are become Preamble. the common Assurances of Your Majesty's Kingdom of *England*, at least such a necessary part thereof, as without them the Inheritance of Feme Coverts, or their Right or Title to Dower or to any other Estate or Freehold, nor Estates of Tenants in Tail General, or Special, or the Reversion and Reversions, Remainder and Remainders thereupon depending cannot be barred.

And whereas such Fines cannot be duly levied in these Islands for the want of proper Offices, or common Recoveries well suffered for want of set Days for the return of Writs, or for the Appearance of the parties to such Recoveries, for remedying which Mischief and to the Intent that the Want of Fines and Recoveries in these Islands may be effectually supplied, by making other conveyances, attended with particular Circumstances, herein after mentioned, equivalent thereunto; We, Your Majesty's Most Dutiful and Loyal Subjects, the Governor-in-Chief of the Island of *Grenada* and the *Grenadines* lying to the Southward of *Carriacou*, including that Island; the Honourable the Members of His Majesty's Council and the General Assembly of the same, Pray Your Most Excellent Majesty;

That it may be enacted, and be it and it is hereby enacted, by the Clause I. Authority of the same, That a Deed or Deeds, in due form of Law, made Deeds executed of

any Plantations by persons capable of conveying by fine or recovery being acknowledged before any Justice of the Court of *Common-Pleas of England or Ireland* or these Islands declared as effectual in the Law to pass all Estates, &c, of the Parties in the Premises, lying within these Islands, as if the parties to the Deeds had levied Fines or suffered Recoveries of the Premises, in any Court of Record at *Westminster*.

and executed by the Husband and Wife, of the Plantations, Lands and Tenements, or other Hereditaments of the Wife, or of any Plantations, Lands and Tenements, or other Hereditaments whereof the Husband was solely and in his own Right seized, at any Time during the Coverture, or whereof the Husband and Wife were seized in Right of the Wife, or the Husband jointly with the Wife, or by any Tenant in Tail, General or Special, or other Party or Parties from whom any Interest passes, acknowledged before some of his Majesty's Justices of the Court of *Common-Pleas* in the Kingdom of *England or Ireland*, or of the Court of *Common-Pleas* of these Islands, shall, to all intents and purposes, be as effectual and valid in the Law, to pass all the Estate, Right, Title, Interest and Claim of the respective parties to such Deed or Deeds in or to all or any the Premises lying within these Islands, and in such Deed or Deeds comprised, and to transfer and make over the same to the Bargainee or Bargainees, Grantee or Grantees or other Person or Persons in the same Deed or Deeds mentioned, their Heirs and Assigns for ever, to whom or to whose use any Estate in such Plantations, Lands, Tenements, or other Hereditaments is, by the said Deed or Deeds, limited, bargained, sold, granted, or conveyed, according to the several Limitations in the same Deed or Deeds respectively contained, as if the party or parties to the said Deed or Deeds, from whom the Interest moves, had levied a Fine or Fines with Proclamations, or suffered a common Recovery or Recoveries of such Plantation or Plantations, Lands, Tenements, and other Hereditaments, in any of His Majesty's Courts of *Record* at *Westminster*, and had duly executed Deeds leading the Uses of such Fine or Fines or declaring the Uses of such Recovery or Recoveries to be to such Bargainee or Bargainees, Grantee or Grantees, their Heirs and Assigns, for ever, according to the Limitations in the same Deed or Deeds respectively limited and expressed, or as if the same Premises and every part thereof had been bargained, sold, conveyed or set over by any the firmest Deed or Deeds, Conveyance or Conveyances, Assurance or Assurances in the Law, that could be advised or devised by counsel learned in the Law.

Proviso.

Femes Covert, to be of full age at the Time of the Execution of the Deed, and to be privately examined by the Judge before whom the Deed is acknowledged.

Vide Act, No. 2.

Proviso to Clause 1.

Proviso.

Deed to be recorded at length in the Register's Office.

Provided always, That, in order to bind Femmes Covert, the Wife who is party to any such Deed or Deeds be of full age, at the time of the Execution thereof, and be privately and apart examined by the Judge, before whom such Deed or Deeds is or are acknowledged, and shall confess that she doth execute the same freely, voluntarily and without Fear, Threats or Compulsion of or by her Husband used, which examination and confession of the Wife shall be indorsed together with the Acknowledgment of the party or parties from whom the Interest of the same Deed or Deeds passeth; and such Confession shall be subscribed by the Judge, before whom the Acknowledgment of such Deed or Deeds is taken, and by and before whom such Wife is privately examined.

Provided always, That every such Deed or Deeds, so to be executed and acknowledged as aforesaid, shall be recorded at length in the Register's-Office, within such periods of time and under such Restrictions as are or shall, for that purpose, be directed and required by the Laws, for the Time being, made to regulate the Register's-Office; Save that the acknowledgment of such Deed or Deeds so subscribed by the Judge, before whom the same was taken (as before directed) shall be sufficient proof of the due execution of the said Deed or Deeds, so as to intitle the same to be received and recorded in the Register's Office of these Islands, without any further proof by a subscribing Witness, and shall make every such Deed as valid and effectual, to all intent and purposes, as if the same were acknowledged by the parties before the Register or Deputy Register, any Law, Statute or Usage to the contrary in any wise notwithstanding.

No. XIV.

An Act for establishing a Court for hearing and determining Errors on Writs of Error, to be brought from the Judgment of the Court of *Common-Pleas* or *Exchequer*, and for directing the Manner of Proceeding in such Court of *Errors*. [March 27, 1784.] Vide Act, No. 31.

WHEREAS it may happen that Errors have intervened, or may hereafter intervene, in the Record and Process and in the giving of Judgment, in Civil Actions or Informations in the Court of *Common-Pleas*, or in the Court of *Exchequer*, held or to be held for these Islands, and it is expedient that Parties, complaining of any Damage thereby, should have the Means of resorting to a Court, authorised to take Cognizance of such Errors and to amend the same, so that full and speedy Justice may be done thereupon to the Parties aggrieved: We, Your Majesty's most dutiful and loyal Subjects, the Governor-in-Chief of the Island of *Grenada* and the *Grenadines*, lying to the Southward of *Carriacou*, including that Island, the Honourable the Members of Your Majesty's Council and the General Assembly of the same, Pray Your Most Excellent Majesty, that it may be enacted and ordained, and be it and it is hereby enacted and ordained by the Authority of the same, That Writs of Error shall be and may be brought, from Judgments of any Court of *Common-Pleas* or *Exchequer*, heretofore established or re-established or hereafter to be held in and for these Islands, for such Sum and before the Commander-in-Chief of this Government, and such Number of Members of His Majesty's Council for the same, as His Majesty's Royal Instructions do or shall direct, but if there are or shall be no Instructions from His Majesty, His Heirs and Successors, limiting the Sum, below which such Writs of Error shall not be brought or directing the Number of Counsellors necessary to constitute such Court, a Writ of Error shall lie and may be brought, for any Sum not less than Ten Pounds Current Money, and the Court, for hearing and determining Errors, shall consist of the Commander-in-Chief of these Islands and any Number (not less than five) of the Members of His Majesty's said Council; Provided nevertheless, in Order to prevent delay, that if the Commander-in-Chief of these Islands shall not be in Grenada, all Errors, may be heard and determined, in his absence, by the Person bearing Chief Command in Grenada, in such his absence, and such Number of Members of His Majesty's Council as aforesaid; And Provided also, that if such Commander-in-Chief of these Islands, or other Person in Chief Command in his absence, shall happen to be a party in the Suit, the same may be heard and determined by the Members of the Council (not less than five in number) without the Commander-in-Chief or Person in Chief Command, and where any Member of the Council shall be a party, three Members of the Council, not parties, shall be a sufficient Number of Counsellors to make a Court;* And the said Court of Errors, hereby established, shall be and is hereby declared to be, to all Intents and Purposes, a Court of Record, and to have the same Power and Authority, so far as relates to all Proceedings in such Cases of Error only, as His Majesty's Court of *King's-Bench* in *Westminster* hath, with respect to the Judgments of His Majesty's Court of *Common-Pleas* in *England*: and no particular Commission shall be necessary for holding the said Court, or for appointing the Justices thereof, but the Persons, hereby constituted Justices thereof, shall be and they are hereby authorised and enabled to act as such, by Virtue of this Act, without further Writ, Commission or Authority.

Preamble.

Clause I.

Writs of Error may be brought, from Judgments of the Court of *Common-Pleas* or *Exchequer*, for such Sum as the King's Instructions direct; but, if no Instructions, Writ of Error may be brought for any Sum not less than £10.

Court to consist of Commander-in-Chief and any number, not less than five, of the Members of Council.

Repealed by the Court of Errors amending Act dated Jan. 26, 1801.

Proviso.

In absence of Commander-in-Chief, Errors how to be determined.

Proviso.

If Commander-in-Chief be a Party in the suit, the same may be determined by Members of Council, no Parties. Court declared a Court of Record and to have the same Power, in such Cases of Error only as the Court of *King's-Bench* in *Westminster*.

* Repealed by No. 31, Clause I,—and the Constitution of the Court, regulated by Clause II.
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Clause II.

And be it enacted, by the Authority aforesaid, That before any of the Judges, hereby constituted, shall proceed to hear or determine any Errors, or any Matter or Question brought before the said Court, the presiding Person, and every other Member of the Court, shall in open Court take the following Oath, viz :—

Oath to be taken by Judges.

“ I A, B. (naming himself) do swear, that, in all Causes, to be brought before this Court, I will not deny nor delay Justice to either Party, but that I will, impartially and to the best of my Skill and Knowledge, give my Opinion and Judgment thereupon.—*So help me God.*”

To be administered by Secretary.

Which Oath shall be administered by the Secretary, first to the Person presiding and after to all the other Members of the Court, at every sitting, unless they shall have been before sworn in the Cause or Causes then to be heard.

Clause III.

No Writ of Error to issue, unless security given, by two sufficient Sureties, in double the Debt or value of the Matter recovered.

And, to prevent frivolous Writs of Error, Be it also enacted, by the Authority aforesaid, That no Writ of Error shall issue or pass from the Secretary's Office, in any Case, whether the Judgment in which Error is alleged to have intervened, shall have been by Default or Confession, or on Verdict or Demurrer, unless Security shall be first given, on behalf of the Plaintiff in Error, by Bond to the Defendant in Error, entered into and executed in the Secretary's Office of this Island, which Bond shall be given by two sufficient Sureties, Inhabitants of these Islands, and the same shall be in a Penalty equal to double the Debt or double the full value of the Matter recovered in such Judgment, and shall be conditioned to pay the Debt or (as the case may be) to render and deliver up the Things recovered by such Judgment, and also to pay all such Costs and Damages as shall be awarded by the Court of *Errors*, in the Case the Judgment shall be affirmed or the Writ of Error shall be discontinued or quashed or the Plaintiff in Error become Non-suit. And, if the Defendant in Error suspect the Sufficiency of the Persons bound in such Security, he may, at any Time before the Return of the Writ of Error, enter his exception to the Bail, in the Margin or bottom of the Security Bond given in the Secretary's Office, and give notice thereof to the Plaintiff in Error or his Counsel or Attorney ; in which Case, if the said Bail do not justify on Oath, before the Secretary, within Eight days after notice of exception given, or some other sufficient Bail do not enter into the like Bond and justify on Oath, within such Eight days ; then, upon Affidavit, made before the Judges of the Court where Judgment was given filed in the Secretary's Office, of the Service of such Notice of Exception having been duly made, the Defendant in Error may take out Execution or proceed thereon, notwithstanding the allowance of the Writ of Error, and, on Motion to the Court of *Errors*, such Writ of Error shall be quashed, with Costs and Damages,

Defendant may enter Exception to bail and give Notice.

Bail to justify within Eight days after Notice, or other Bail to be given and to justify, or Defendant may take Execution, Writ of Error to be quashed, with Costs and Damages.

Clause IV.

Writs of Error to be made returnable before Court of *Errors* or Commander-in-Chief and Council, and not less than 25 nor more than 35 days between Teste and Return.

And, for regulating the proceedings in such Court of *Errors*, Be it and it is hereby enacted, by the Authority aforesaid, That all Writs of Error, hereafter to be sued in this Island, shall be made returnable before the Court of *Errors* for *Grenada*, or before the Commander-in-Chief and the Council of *Grenada*, and there shall not be less than Twenty-five days, nor more than Thirty-five days, between the Teste and Return of any such Writ of Error, inclusive of the days of Teste and Return.

Clause V.

Writs of Error, after being sealed, to be lodged in the Secretary's Office, and Secretary to mark the day and hour when lodged, and deliver a Certificate thereof. Certificate to be served by way of Notice.

And be it also enacted, by the Authority aforesaid, That all Writs of Error, to be brought, shall immediately after being sealed, be lodged in the Secretary's Office of this Island, and the Secretary or Deputy Secretary shall immediately mark on every such Writ *Recepi*, with the Day and Hour of the Day when the same was so lodged ; and from that Time, such Writ of Error shall be deemed to be allowed, and the Secretary or Deputy Secretary shall, on demand, deliver to the Party lodging such Writ, a Certificate of the same being lodged and allowed in order that such Certificate may be served, by way of Notice, to the opposite party, his or her Counsel or Attorney, or to the Marshal or Deputy Marshal, where necessary, and

no Writ of Error shall be deemed a Stay of Execution, or a Supersedeas to Execution until the same shall be so lodged there; and a Writ or Error, so sealed and lodged, at any Time, within Fourteen Days after Judgment, shall, if no Execution shall be then issued, prevent and stay the issuing thereof, and if such Execution shall have issued and be not executed, with Effect, such Writ, so lodged and sealed, shall, on Notice of the allowance thereof to the Marshal or Deputy Marshal, be a Supersedeas to such Execution.

And be it also further enacted, by the Authority aforesaid, That, immediately upon lodging such Writ of Error, in the Secretary's Office, the Secretary, for the Time being, without any Rule, Order or further Direction, shall make out a Transcript of the Record, at the Charge of the Party or Parties, suing such Writ of Error, and the Plaintiff or Plaintiffs in Error shall be obliged to assign Errors, under the Hand of his or their Counsel, in the Secretary's Office, before the Expiration of Eight days, after the Return of such Writ of Error, whether the Transcript of the Record be then made or not, unless a further Time shall be given, by the Court of Errors, for assigning Errors; And, if no Assignment of Errors shall be made, in Eight days, or at the Expiration of such further Time as shall be given by the Court of Errors, for that purpose, Execution may be taken out by the Defendant in Error, as if no Writ of Error had been brought, because the Records being all lodged in the Secretary's Office, they may be there always seen, and Errors thereon can as well be assigned as though they were all transcribed, and all such Assignments of Errors shall be signed by some Counsel qualified to practice in the Court of *Common-Pleas*; and, after the Record is transcribed, the same shall be brought, by the Secretary or Deputy Secretary, forthwith to the Chief Justice of the Court; or if he should be sick or absent, to the next Senior Justice, who shall certify the same, under his Hand, at any Time before or on the Day of the Return of the Writ of Error, and not after on that Writ; And, in case the Record shall not be so transcribed and certified, at the Return of the Writ of Error, that Writ shall be quashed, with Costs, and not be a Supersedeas to Execution, any longer than the Return Day thereof; And the Secretary or Deputy Secretary shall get such Record, so certified, with the Assignment of Errors and all the subsequent Pleadings and Proceedings on the Writ of Error, drawn out and have the same ready, at such Court of Errors as shall be appointed for the hearing and determining of the Errors in that Cause, and there shall be no discontinuance, loss, or abatement of any Writ of Error, by Reason of the Court of Errors not being held, at any particular day, that shall or may be appointed to hear and determine Errors, but the same may be heard and determined, at any Day, after the Day first appointed.

And be it also enacted, by the Authority aforesaid, That, all Writs of Error, wherein there shall be any Variance, from the original Record or other Defect, may and shall be amended and made agreeable to such Record, by Rule or Order of such Court of Errors, and where Verdict has been or shall be given, in any Action or Suit, in the Court of *Common Pleas* or *Eschequer*, the Judgment thereupon, shall not be stayed or reversed, for any Defect or Defects, either in Form or Substance in any Bill, Writ original or judicial, Want of Warrant of Attorney, or for any variance, in such Writs, from the Declaration or other Proceedings.

And, to prevent delays happening on Writs of Error, for want of speedily transcribing the Record, Be it further enacted, by the Authority aforesaid, That if it shall appear to the Court of Errors, that any Writ of Error, hath been quashed, or the Benefit of the same hath been lost to the Party or Parties who sued out the same, through the delay or neglect of the Secretary or Deputy Secretary, the Court may, and is hereby empowered, to award such Costs against the Secretary or Deputy Secretary, for such delay or neglect, as shall be reasonable, to be paid to the party injured, and to be levied on the Secretary or Deputy Secretary, with such Fees as are or shall

No Writ of Error to stay or supersede Execution, until lodged; and Writ of Error sealed and lodged within 14 days after Judgment, to stay or supersede Execution.

Clause VI.

Secretary to make a transcript of the Record.

Plaintiffs, to assign Errors, within 8 days after Return of the Writ.

If no Errors, assigned, Execution may be taken out.

Assignments of Errors to be signed by Counsel.

Secretary to carry Transcript to Chief Justice who shall certify the same.

If Record is not transcribed, at the Return of the Writ, the same to be quashed.

Secretary to draw out Proceedings and have them ready, at Court of Errors.

No discontinuance or abatement, by reason of Court not being held.

Clause VII.

Writs of Error may be amended.

Judgment not to be stayed or reversed for Defects, in Form or Substance.

Clause VIII.

Secretary liable to pay Costs, if Writ of Error quashed, or the Benefit thereof Lost to the party, from Delay or Neglect of the Secretary.

be allowed by Law, for levying Executions; which award of Costs shall be in the Form of an Execution, tested in the name and signed by the Person who shall be presiding in the said Court of *Errors* and under his private Seal, directed to the Marshal or his Deputy, for the Time being, and ordering him to levy the amount of the Costs, so awarded, with the Fees; and the effects, levied on, shall be sold, in the same manner as in Cases of Execution levied in the Court of *Common Pleas*; and, in default of sufficient Effects, such Secretary or Deputy Secretary shall stand committed, in close custody, until such Costs are paid as the Court shall have awarded, with the subsequent Costs as aforesaid: Provided nevertheless, that the Secretary or Deputy Secretary shall not be liable to Costs, unless the Writ of Error was lodged in his Office, at least Fourteen Days before the Return thereof,

Proviso.

Secretary not liable to Costs unless Writ of Error be lodged, 14 Days before the Return thereof.

Clause IX.

Plaintiff to give Notice of Assignment of Error, within 3 days after filing the same.

Defendant to join in Error, plead, demur, or allege Diminution within 15 days after Notice. Diminution not to be alleged after pleading in *Nullo est Erratum*.

In Case Diminution alleged, Secretary to inspect the Record, and, if there be a diminution, to make out the part of the Record omitted, and Judge to certify the same; but if the Record was, at first, fully certified, Secretary, within 14 days, to certify the same and Defendant to plead, demur, or join in Error, in 15 days, and pay £7 Costs for the Delay.

Clause X.

Where matters are ripe for Argument, either party may set the Cause down for hearing, apply to fix a Day, and give 15 days Notice.

In case of neglect or delay, Plaintiff to be non-suited, and if Defendant make Default, Errors to be examined *ex parte*.

Clause XI.

When Error in fact is assigned, the Court to issue a Writ to the Marshal to summon a Jury to try the issue.

And be it also enacted, by the Authority aforesaid, That, within Three days after filing the Assignment of Error, the Plaintiff in Error or his Counsel, shall give Notice thereof, in Writing, to the Defendant in Error or his Counsel, who shall join in Error or Plead thereto, or to the Writ, or Demur, or allege diminution, within Fifteen Days next after such Notice, if the Writ of Error be then returnable, and the Record transcribed and certified; and if such Writ be not returnable, in such Fifteen Days, after notice given of such Assignment of Errors, then such Defendant shall join in Error, Plead, Demur, or allege diminution, within Fifteen Days after the return of the Writ of Error; but Diminution may not be alleged, after pleading, in *Nullo est erratum*. And in case Diminution be alleged, then the Secretary shall, immediately, without further *Certiorari*, Writ or Order, inspect the Record; and if there be a Diminution, he shall, without further Writ, *Certiorari*, or Order, make out the part of the Record then omitted, and the Chief Justice, or in case of his sickness or absence, or being a party to the Suit, the next Judge of the Court of *Common Pleas* attending shall certify the same immediately, upon application made to him, and producing the same, under the Secretary's hand: But, if the Secretary shall find the Record was at first fully certified, he shall, within Fourteen Days next after such Diminution alleged, certify, under his Hand on the Record, that the Record was before fully transcribed and certified, not in any Thing diminished, and, thereupon the Defendant in Error shall in Fifteen Days after that plead to the Errors assigned, or to the Writ, or Demur, or join in Error, as he shall be advised, and shall pay Seven Pounds Current Money of *Grenada* Costs for the Delay.

And be it also enacted, by the Authority aforesaid, That, where Matters are at issue, or ripe for Argument, in the Court of *Errors*, either party may set the Cause down, for hearing, and may apply to the Commander-in-Chief or Person commanding in the Island, for the Time being, to fix a Day for holding the Court, and for hearing the Cause argued, and may serve the other party, his Counsel or Attorney, with a Notice, instead of *Scire facias*, to hear Errors, which Notice shall be served at least Fifteen Days before Errors are to be argued, and then, or as soon after as Counsel can be heard by the Court of Errors, the Cause shall be argued; And in Case of Neglect or Delay in the Plaintiff in Error, the Court may order him to be non-suited; and if the Defendant in Error make Default, the Court, after due proof of the service of the Notice, may examine the Errors *ex parte*, and give such Judgment thereupon as they shall think just.

And be it also enacted, by the Authority aforesaid, That, where any Error in fact is assigned, and issue thereon joined, the Court of *Errors*, hereby established, may and shall issue a Writ directed to the Marshal, at the expence of the Plaintiff in Error, to summon a Jury to try such Issue, which shall be proceeded on, in all respects, as in the case of a Writ awarded for enquiring of Damages, as hereinafter directed, and Judgment shall be given thereon by the said Court of *Errors* as shall be just, upon the facts found by such Jury.

And be it also enacted, by the Authority aforesaid, that *Subpenas* shall and may issue and be served, by the Marshal or Deputy-Marshal, on Witnesses to attend and give Evidence, on enquiry of Damages or Trials of Issues, on Errors in fact, which *Subpenas* shall be made out, by the Secretary, tested in the name of the Person presiding in the Court of Errors; and any Witness, not attending after due service of such *Subpenas* made, in such manner as *Subpenas* are directed to be served on Witnesses summoned to attend, in the Court of *Common Pleas*, shall be liable to the costs of the party injured, proof on oath being first made that the evidence of such Witness so refusing or neglecting to attend, was material in the Cause; and such Witness shall further be fineable in any sum, not exceeding Fifty Pounds nor under Ten Pounds current money of *Grenada*, to the use of His Majesty, his Heirs and Successors, to be paid into the public Treasury of this Island, for the public uses of these Islands, and he may be taken and brought in by attachment, to be issued in Court or out of Court, under the Crown of the Great Seal or the Hand and Private Seal of such Person so presiding in the said Court of Errors, directed to the Marshal or his Deputy, and shall and may be committed until both costs and fine be paid, or he be otherwise discharged, upon hearing by the Court of Errors; and the Court may, if they shall see cause, on request of the party, and on payment of reasonable costs to the other party, award a new enquiry or trial of the Issue, as the case may be.

And be it also enacted by the Authority aforesaid, That no Executors, Administrators or Guardians, shall be obliged to give Security, on a Writ of Error, except in such cases, where, by the Law of *England*, Executors Administrators or Guardians are obliged to give Security, nor shall any Person be bound to give Security on a Writ of Error brought on any Penal Law or any Action Popular; yet, nevertheless, the said Court of Errors may give costs only on the affirmance of any Judgment, either on any Penal Law or Action popular, so as it be not against an Executor or Administrator; and in all cases where a Judgment shall be affirmed on a Writ of Error, or any Writ of Error shall be quashed or discontinued, or the Plaintiff non-suited, except in cases, hereby excepted; the said Court of Errors is hereby empowered to award any gross sum or sums for costs, or to order the Secretary to tax costs, at the discretion of the said Court, and also to give damages, to be enquired of by a Jury; and, for better information what damages are proper to be given, the said Court shall and may award a Writ of Enquiry to the Marshal or his Deputy, to summon a Jury to enquire thereof, returnable in Fourteen days, and when such Writ of Enquiry shall be awarded, the Defendant in Error, or his Counsel or Attorney, shall give Three days notice, in writing, to the Plaintiff in Error, his Counsel or Attorney, exclusive of the day of service and day of executing the Writ, of the time and place of executing such Writ, and each Party may examine Witnesses, *vivâ voce*, before the Jury, and Judgment shall be given, in the Court of Errors, for such damages as shall be found by the Jury; and, in cases of Ejectment or Dower, all wastes, committed after the first Judgment, and the value of the mesne profits, subsequent to such first Judgment, shall be considered and allowed for in such Enquiry of damages.

And be it enacted, by the Authority aforesaid, that when the Judgment is either affirmed or reversed, the Transcript, with the Judgment given thereon, in the Court of Errors shall be remanded down again to the Court from whence it came, and an Entry or Memorandum shall be made, by the Secretary, in the margin of or under the record of the first Judgment, of the day of reversal or affirmance thereof, and he shall also enter the same briefly, by a minute of the Parties' name and the sort of Action, with the decision thereof, in the Book of Records of the Court of Errors, and Executions shall issue, from the Court below for all such Costs and Damages, in the same manner, and as well as for the principal thing or matter

Clause XII.
Subpenas for Witnesses may issue on Enquiry of Damages or Trials of Issues.

Witnesses not attending to be liable to the Costs of the Party injured and to be further fineable in any sum not exceeding £50 nor under £10.

Attachment to issue for the fine.

Court may award a new enquiry or trial of the Issue.

Clause XIII.
Executors, Administrators or Guardians not obliged to give Security, except where by the Law of *England* they are obliged to give Security. No Security required on Writ of Error on a Penal Law or Action popular, when Judgment affirmed or Writ of Error quashed, &c. Court may award a gross sum for costs, or order the Secretary to tax costs, and may give damages to be assessed by a Jury. Writ of Enquiry to issue returnable in 14 Days.

Defendant to give three Days notice of the time and place of executing Writ.

Each Party may examine Witnesses *vivâ voce*, and Judgment to be given for the Damages found: In Ejectment or Dower, wastes and mesne profits to be allowed for.

Clause XIV.
When Judgment is affirmed or reversed, the transcript with the Judgment given thereon to be remanded to the Court from whence it came.

Secretary to enter the same in the Book of Records of the Court of Errors. Execution to issue from the Court be

low for costs and Damages Writs of restitution and all other process, also to issue.

Clause XV.

No second Writ of Error a Supersedeas to Execution except where the first Writ was lost without default of Plaintiff.

If no Supersedeas awarded, Execution may be levied

Clause XVI.

Court empowered to make Rules of Practice.

Rules to be entered by the Secretary in distinct part of the Book of Rules of the Common-Pleas.

Clause XVII.

10s. 6d. to be paid for each Writ or Warrant except Writ of Error itself, for which the usual Fee shall be allowed.

Clause XVIII.

Appeals from Judgments on Writs of Error to be regulated by the King's Instructions.

Preamble.

Clause XIX.

Value of the thing recovered in Court of Error, where an Appeal is prayed, to be ascertained by five Persons on Oath, within five Days.

to be levied; and upon reversal of any Judgment, Writs of restitution and all other necessary process thereon shall, in like manner, issue from the Court below.

And be it enacted, by the Authority aforesaid, That no second Writ of Error shall be a Supersedeas to an Execution, except where the first Writ was discontinued, abated or lost, without default of the Plaintiff in Error, his or her Counsel; in which case, a special Supersedeas may be awarded by the Court of *Errors* aforesaid, signed by the Person presiding and under the Crown of the Great Seal, or his private Seal; and such Supersedeas shall take effect, by serving a Copy on the Defendant in Error, and by leaving the original with the Marshal; but, if no such Supersedeas be awarded, then Execution may be levied and proceeded on.

And be it and it is hereby enacted by the Authority aforesaid, That the Court hereby established, for hearing and determining Errors, may and is hereby empowered to make and establish any further or other Rules or Orders of practice on Writs of Error, so as the same shall not be repugnant to this Act; and the practice, in all cases not hereby provided for, shall be as agreeable as may be to the Laws and practice of the Court of *King's-Bench*, in Causes in Error, and such Rules shall be entered by the Secretary, in a distinct part of the Book where the Rules of the Court of *Common-Pleas* are to be entered.

And be it also enacted, by the Authority aforesaid, That Ten Shillings and Six Pence, and no more, shall be paid to the Person presiding in the said Court of *Errors*, for each Writ or Warrant which shall be by him signed and sealed, pursuant to any Clause before or hereafter contained, except the Writ of Error itself, for which the usual Fee shall be allowed and taken.

And be it and it is hereby enacted, by the Authority aforesaid, That Appeals from Judgments, on Writs of Error, given in this Island, shall, in all things, be regulated according to the King's Royal Instructions touching such Appeals given, from time to time, to his Commander-in-Chief of these Islands, for the time being, save and except that His Majesty, his Heirs and Successors may, by special Order, allow Writs of Error, or Appeals in any Cases.

And where any doubt shall arise, on the Value of the thing recovered, in such Court of *Error*, where an Appeal is prayed from the Judgment of that Court, to the end such Value may be ascertained, and that it may be known whether the same Value amounts to the Sum limited by the Instructions for allowing Appeals; Be it and it is hereby enacted and ordained, That, in all such cases, a Warrant shall, at the request of the Party appealing, issue under the Crown of the Great Seal, or the private Seal of the Person presiding in the Court of *Errors*, when Judgment was given, which Warrant shall be directed to five Persons, or any three or four of them (the Members of the Council and Justices of the Court of *Common-Pleas* only excepted) to be nominated, two by the Appellant and two by the Respondent, and a fifth by the presiding Person issuing the Warrant, to act as an Umpire in case there should be an equality of voices among the other four, directing them or any three or four of them to appraise the subject in question, on a certain Day therein to be fixed, and to make return thereof, on Oath, and under their Hands and Seals, into the Secretary's Office of this Island, within five Days; and if, after Notice in Writing given, by either Party, of the names of the Persons chosen as his Appraisers, the other Party shall refuse or neglect, by the space of Twenty-four Hours, to nominate two Appraisers on his behalf, then, upon Affidavit of such Notice and Neglect, four Appraisers shall and may be nominated by the other Party, and the Affidavit of Notice and Neglect shall be made, before the Person presiding, or before the Secretary or Deputy Secretary, who is hereby empowered to take such Affidavit, and the same shall be filed in the Secretary's Office; and the method of nominating Appraisers shall be by

lodging their names with the Secretary, who is to make out the Warrant of appraisement, and deliver it to the Party who applied for the same, in Order that he may procure the same to be signed and sealed.

And be it also enacted, by the Authority aforesaid, that the Party procuring the Warrant of appraisement shall serve every Appraiser and Umpire, and the opposite Party, with a Copy of the Warrant of appraisement, at least Forty-eight Hours before the time therein fixed for making such appraisement, and each Appraiser and the Umpire shall be allowed Fourteen Shillings for their trouble; and in case either of the Appraisers or the Umpire refuse or neglect duly to execute such Warrant in all respects, and to make return on Oath, as hereby directed, without lawful excuse to be admitted by the Court, from whose Judgment the Appeal goes, each Appraiser or Umpire, so neglecting, upon Affidavit of the service and neglect, may be taken by Attachment issued out of the same Court, under the Crown of the Great Seal, or the private Seal and Hand of the Person presiding, directed to the Marshal or his Deputy, and shall and may be fined, not exceeding Fifty Pounds nor under Ten Pounds Current Money of these Islands, by the same Court, and be committed to close custody until payment thereof, which Fine shall be to the use of His Majesty, his Heirs and Successors, to be paid into the public Treasury of this Island, for the Public uses of these Islands: and the Party offending shall and may be examined upon Oath, upon interrogatories, touching such last mentioned Default, as for a contempt, and such examination may be taken by the Secretary or Deputy Secretary, and the Party may be proceeded against summarily, touching the same, as usual in cases of contempt.

Clause XX.
Duty of Party procuring Warrant of Appraisement.
Fees of Appraiser and Umpire.

Appraiser or Umpire, refusing or neglecting to execute Warrant, to be taken by Attachment and fined, not exceeding £30, nor under £10, and committed until Payment thereof.

Party offending to be examined upon Oath, to interrogatories and proceeded against as usual in cases of contempt.

And be it further enacted, by the Authority aforesaid, That this Act shall continue and remain in Force for the space and term of One full Year, from the Date thereof, and from thenceforth until some other Establishment shall be made and enacted, by the Legislature of these Islands, for carrying into execution the purposes intended by this Act.

Clause XXI.
Act to be in force for One Year, from the date, and from thence until some other Establishment shall be made.

No. XV.

An Act for rendering the Process in the Court of *Chancery* effectual, in certain Cases, against Persons, who, being out of the Jurisdiction of the Court, refuse to appear thereto. [March 27, 1784.]

In part repealed by Act, No. 73.

WHEREAS, by the ordinary Rules and Practice of the Court of *Chancery*, no Decree could formerly be had against a Defendant, until he had appeared, And whereas the Statute, made in the Fifth Year of the Reign of the late King GEORGE the Second, intitled "An Act for making Process in Courts of *Equity* effectual against Persons who abscond and cannot be served "therewith, or who refuse to appear," although it authorises the Court to take Bills *pro Confesso* and to make Decrees against Defendants, without Appearance, and enables Plaintiffs to have Satisfaction out of the Defendant's Estate, in the Cases therein provided for, on Security given, yet the said Statute extends only to the Case of Defendants, of whom Affidavit is made that they have absconded or gone out of the Realm to avoid being served with the Process of the Court, which same Affidavit is also required by the standing Rules of the Court of *Chancery* of these Islands, made in Conformity to that Statute, on the Tenth Day of *September*, One Thousand Seven Hundred and Seventy-one; And whereas the said Statute and Rule do not reach the Mischiefs, already experienced and likely to be hereafter felt in these Islands, because, where a Defendant hath, some Time before, clandestinely left the Government, neither the Plaintiff nor any Person, on his behalf, can safely make Oath that such Defendant absconded or went

Preamble

away, in order to avoid being served with the Process of the Court, in that or any other particular Suit ; And whereas from the peculiar situation of Mortgagees and other persons having Securities or Claims on Estates in these Islands, some further regulations are become requisite and expedient for facilitating their proceeding with Effect, so as to obtain Final Decrees according to the nature of their several cases ; in as much as many Mortgagors and other necessary Parties to the Suits have, for some Years past, escaped to *Trinidad* and other Places, out of the Jurisdiction of the Court, and have carried off with them Property, to the Prejudice of their Creditors ; And whereas it is not to be expected that such Debtors or Parties will appear, or cause appearance to be entered for them, to any Bill filed or to be filed against them, in the Court of *Chancery* ; and the Sequestration, allowed in such cases, will not affect them in point of Interest sufficiently to compel such appearance ; so that the remedy given, either by the ordinary practice of the Court, or by the said Statute and Rule, will, in most instances, be of little service, and prove inadequate to the relief of Plaintiffs, in these Islands, who are desirous of foreclosing Mortgages, or of selling and procuring full and perfect Titles to Estates, which have been left incumbered beyond their utmost value ; And whereas many other Persons, are resident in Parts beyond the Sea, out of the Jurisdiction of the Court of *Chancery*, and who being necessary Parties to Suits, in that Court, may, by obstinately refusing to enter appearance, involve Plaintiffs in similar difficulties in obtaining final Decrees, in cases either of Debt or of Titles to Estates in these Islands ; and whereas, in some of the Foreign Colonies, the Government or Courts of Justice will not admit, within their Jurisdiction, the service of Process or the Execution of Commissions issued, from our Courts, in the form and manner required by our Laws to make the same effectual, and it may become impracticable to procure Persons to serve such Process or to execute such Commissions and to make the necessary Proof, in such cases required ; In order to remedy all such inconveniences and to give effectual relief to Plaintiffs, against Parties neglecting or obstinately refusing to enter appearance, as aforesaid, Be it enacted and ordained, by the Authority aforesaid, That, when any Defendant, in any Suit already commenced or hereafter to be instituted, in the Court of *Chancery* of these Islands, against whom a *Subpoena* or other Process hath issued or shall issue, shall not cause his or her appearance to be entered, within such time and in such manner as by the Rules of the Court the same ought to have been entered, if such Process had been duly served, it shall not be necessary (where it cannot be done) to make Affidavit that such Defendant went out of the Jurisdiction of the Court or otherwise absconded, in order to avoid being served with such Process, but, instead thereof, Affidavit shall and may be made, to the satisfaction of the Court, “ that such Defendant “ resides in parts beyond Sea, out of the Jurisdiction of the Court, and “ that there is just Ground to believe, that such Defendant will not, within “ any reasonable time, be within Jurisdiction of the Court, nor cause an “ appearance to be entered to the Process issued, unless he or she should “ be induced or compelled thereto, by the apprehension of having the Bill “ taken *pro Confesso*, and a final Decree pronounced against him or her in “ that Suit : And also that such Defendant hath not any Attorney, resident “ in these Islands, authorized by Letter or Procuration on Record, on whom “ such Process could be served,” or if the Defendant hath such resident Attorney on Record, then the Affidavit shall be, “ that the *Subpoena* or “ other Process hath been duly served on such Attorney, on behalf of the “ Defendant ” (as the Case may be :) And, upon such Affidavit being filed, the said Court may, in every such Case, make such Order, for the Defendant’s appearance, as, in the said Statute and Rule is directed, fixing such time for the Defendant’s appearance, according to the distance of his or her place of Residence and other circumstances as the said Court, in its discretion, shall think fit ; which Order, for the better publication thereof, shall, within Four-

Clause I.
When a Defendant in any Suit in the Court of *Chancery*, against whom a *Subpoena* or other Process hath issued shall not cause appearance to be entered, Affidavit shall be made that Defendant resides in parts beyond the Sea, out of the Jurisdiction of the Court, and hath not any Attorney resident in these Islands or if Defendant hath a resident Attorney on Record, then Affidavit shall be, that *Subpoena* or other process hath been duly served on such Attorney.

Upon Affidavit being filed Court may make such order for Defendant’s appearance, as directed by the Statute of 5th George 2nd, and Rule of 10th Sept. 1771.
Order shall within 14 Days be inserted

teen Days after the making of the same, be inserted in the Gazette of this Island, both in French and English, and be continued therein, for the space of Six Weeks successively, and one Copy and translation of such Order shall be affixed at the Court-House Door, and another Copy and Translation thereof, at the Door of the Church in the Town of *St. George*; And if the Defendant, therein named, do not appear or cause an Appearance to be entered to such Process, within the Time in such Order prescribed, or in such further Time as the Court (if it shall see cause) may appoint, then, on proof made of the due Publication of such Order, in Manner aforesaid, the Court, being satisfied of the Truth thereof, may order the Plaintiff's Bill to be taken *pro Confesso* and proceed to make such Decree, thereupon, as shall be thought just, and may thereupon issue Process to compel the Performance of the Decree, as by the said Statute is directed, or, in Default thereof, and where the Case shall so require, the same Court may, by final Decree, order the Estate or Estates in question to be sold, as fully and effectually as if such Defendant had appeared and answered, and the cause had been at issue, and the same Decree had been pronounced in the presence of all the Parties, or their Counsel.

And whereas, by the said Statute and Rule, Decrees so made on Bills so taken *pro Confesso* without the Defendant's Appearance, do not stand absolutely and irrevocably confirmed against such Defendants and those claiming under them, until Seven Years after such Decrees have been made, during which period, they are allowed to appear in Court, and, on Petition and Payment of Costs, or giving Security as therein directed, they are admitted to answer the Bill, put the Cause in issue, and proceed thereon, as if no former Decree or Proceedings had been had therein: And whereas, such allowance of Seven Years, however just and reasonable, as between the Parties and their Representatives, would effectually discourage and prevent Bidders from offering a fair and liberal Price for Estates sold, under Decrees of the Court, if, during Seven Years, their Purchase were liable to be annulled or controverted, and the Possession taken from them, after perhaps very considerable Sums have been laid out, by such Purchasers, in the Improvement of the Estate; Be it therefore enacted, by the Authority aforesaid, That, in all Cases where any Sale shall be ordered to be made, by Decree, pronounced on a Bill taken *pro Confesso*, without the Defendant's Appearance, as aforesaid, the defendant or his or her Representatives shall have Time, only until the Day preceding the Day of Sale, to appear and apply to the Court, in Manner aforesaid, so as to prevent or delay such Sale; And, if such Defendant, his or her Representatives shall appear, at any Time after the Day preceding the Sale, during the Seven Years so allowed, as aforesaid, and shall obtain a Decree, different from the first Decree, yet, nevertheless, such Appearance and subsequent Decree shall not, in any wise, affect the Purchase so made, under such first Decree, but the Cause may be determined between the original Parties or their Representatives, in such Manner as shall be agreeable to Equity, but so as to affect only such Parties, and the Price or Money, arising by such Sale, without Prejudice to the Purchaser's quiet Enjoyment, by virtue of such Sale, any more than if such Defendant had never appeared, or than if such first Decree had been pronounced in the Presence of all Parties: And, in every Sale, to be made by Decree on Bill taken *pro Confesso*, without Appearance, as aforesaid, if any Defendant shall be a necessary or a proper Party (for the better Security and Satisfaction of the Purchaser,) to join in the Conveyance of the Estate sold, the Court may, on Petition or Motion of the Purchaser, order the Attorney of such Defendant, if any such there be on Record and resident in these Islands, or, if there be none such, then may order the Register of the Court to execute such Conveyance, in the Name and on Behalf of such Defendant, as his or her Attorney thereto constituted and authorized by special Order of the Court of *Chancery*; which Execution of the Conveyance, by the Attorney or by the Register of the Court, shall be as valid and effectual, to all Intents and Purposes, and

in the Gazette in French and English and continued for 6 weeks, and one copy and Translation affixed on the Court House door, and another copy and Translation at the door of the Church in Saint George's.

If Defendant does not appear, the Bill to be taken *pro Confesso*, and proceed to make a Decree, and may issue Process to compel the Performance of the Decree.

Preamble.

Clause II.

In Cases where a Sale shall be ordered on bill taken *pro Confesso*, Defendant to have Time only until the Day preceding the Day of Sale to apply to prevent or delay sale.

If Defendant shall appear at any Time during seven years, and shall obtain a Decree different from the first Decree, such Appearance and subsequent Decree not to affect the Purchase, but the Cause may be determined between the original Parties, but so as to affect only such Parties.

If any Defendant shall be a necessary Party to join in the Conveyance, the Court may order the Attorney of such Defendant, or if there be none such then may order the Register of the Court to execute such Conveyance. Execution of Conveyance, by Attorney or Register, to

be valid as if executed by Defendant in Person.

No Defendant allowed, after sale, to answer the Bill and put the Cause in issue, unless Defendant shall offer to confirm and ratify such Sale and Conveyance.

received and admitted, in all Courts and Places, as if such Conveyance had been executed by such Defendant in Person; And no such Defendant shall be allowed, at any Time after such Sale, to answer the Bill and put the Cause in issue (as in the said Statute and Rule is provided), unless such Defendant shall in his Petition or first Application to the Court, offer to confirm and ratify such Sale and Conveyance to the Purchaser, in such Manner as the Court shall, at any Time afterwards, direct, any Law, Usage, or former Rule of the Court of *Chancery*, to the contrary thereof, in any wise, notwithstanding.

Clause III.

Where Scope and Prayer of Bill is to compel Defendant to execute or perfect any Deed or Conveyance, and Bill shall be taken *pro Confesso* and a Decree pronounced, Court may order Suit, Deed or Conveyance to be executed by the Attorney of such Defendant or by the Register of the Court. Every such Execution of a Deed or Conveyance to be valid as if the same had been executed by the Defendant in Person.

And be it further enacted, by the Authority aforesaid, That, where the Scope and Prayer of any Bill in *Chancery* shall be to compel any Defendant therein named, to execute or perfect any Deed or Conveyance, and such Bill shall be taken *pro Confesso*, in manner aforesaid, and the Court shall see cause to pronounce, and a Decree shall be thereupon pronounced by the Court, that such Defendant do execute and perfect such Deed or Conveyance to the Plaintiff; then, and in every such case, the Court may, in like manner, order such Deed or Conveyance to be executed by the Attorney of such Defendant, or by the Register of the Court, as is herein before directed, in cases of Estates, sold under Decree: And every such Execution of a Deed or Conveyance to the Plaintiff made, in pursuance of the special Order of the Court, shall be as valid and effectual to the Plaintiff and all others claiming through or under him or her, as if the same had been executed by such Defendant in Person, unless such Defendant, his or her Representatives, shall take the Benefit of the Provisions, contained in the said Statute and Rule, and shall obtain a Decree, reversing or contrary to the one pronounced on taking the Plaintiff's Bill *pro Confesso*; Provided always, and it is hereby enacted, that all the several provisions, contained in the said Statute and adopted in the said Rule of the Court of *Chancery*, touching the serving of Copies of the Decrees, therein mentioned, on the Defendant, his Heir, Executor or Administrator, or on the Guardian Husband or Committee of such Heir, within a reasonable time, after their return or coming under the Jurisdiction of the Court, and such return or coming being known to the Plaintiff, shall be and the same are hereby declared to be in Force, and are to be observed, with respect to any Decree to be pronounced, in pursuance and under the Authority of this Act.

Proviso.

Provisions contained in the Statute of 5th George 2nd, and adopted in the Rule of 10th Sept. 1771, touching the serving of Copies of Decrees declared to be in force.

Clause IV.

Absent Defendant living in His Majesty's Dominions and having no Attorney in these Islands yet, as against such Defendant no Bill to be taken *pro Confesso* without appearance, until the Court shall be satisfied, that such Defendant hath been served with Process, and hath Time to cause an appearance to be entered. Affidavits of the Service of Process or of due Diligence having been used may be made before Governor, Person in Chief Command or Master in *Chancery* of the place where or near to which Defendant resides.

Provided also, and it is further enacted, That where any such absent Defendant shall be living, in any part of His Majesty's Dominions, and shall have no Attorney resident in these Islands, who can be served with the Process of the Court, on his or her behalf, yet as against such Defendant, no Bill shall be taken *pro Confesso* without appearance until the Court shall have been satisfied, either that such Defendant hath been served with the Process and hath had reasonable and full sufficient time, since such service, to cause an appearance to be entered, or at least, that due diligence and endeavours have been ineffectually used to make such service: And, in such cases, Affidavits of the service of the Process, on the Defendant, or of due diligence and endeavours having been used to make such service, shall and may be made, by any Person, before the Governor, Person in Chief Command, or before the Master in *Chancery* of the place where or near to which such Defendant resides, which Affidavits, attested under the Hand and Seal of such Governor or Person in Chief Command, or Master in *Chancery*, shall and may be received, filed and used in Court, as if the same were sworn before the Master in *Chancery* of these Islands; any Law, Usage, Custom or Practice of the Court to the contrary thereof, in any wise, notwithstanding.

No. XVI.

An Act for re-establishing a Court of *King's-Bench* and *Grand-Sessions* of the *Peace*, prescribing the Times of its Sitting, and regulating the Proceedings therein, and in Courts to be held by Virtue of Commissions of *Oyer* and *Terminer* and *Gaol-Delivery*; and for taking away the Benefit of Clergy from Persons convicted of certain Crimes therein specified.

Vide Acts No. 30.
64.
70.

WHEREAS it is proper to establish a Court, for determining all Criminal Matters, and to direct of what Persons such Court shall consist, and how the same shall be constituted, and to prescribe the times of its sitting and the manner of Proceeding in such Court; We, therefore, Your Majesty's most dutiful and loyal Subjects, the Governor-in-Chief of the Island of Grenada and the Grenadines, lying to the Southward of Carriacou, including that Island, the Honourable the Members of Your Majesty's Council, and the General Assembly of the same, Pray Your most Excellent Majesty, that it may be enacted and ordained.

Preamble.

And be it and it is hereby enacted and ordained, by the Authority of the same, that twice in every Year, there shall be held, in the Town of St. George, for the Island of Grenada and such of the Grenadines as are annexed to the Government thereof, a Court for hearing and determining all Criminal Matters whatsoever, arising within its Jurisdiction, which shall be stiled and called "THE COURT OF KING'S-BENCH AND GRAND-SESSIONS OF THE PEACE." And the several Persons following shall be, and are hereby constituted Justices of the said Court, during the time that they do or shall fill the several Posts and Offices hereafter mentioned (that is to say,) the Lieutenant-General, the Lieutenant-Governor, and all the Members of His Majesty's Council for these Islands, for the time being, the Justices of the Court of Common-Pleas and the Barons of the Court of Exchequer, and all His Majesty's Justices of the Peace of these Islands, for the time being, except always that if any one of the Persons, filling any of the said Places, shall happen to be, at the same time, Commander-in-Chief of these Islands, he shall not sit or be deemed to be a Justice of the Court, while he shall so continue Commander-in-Chief, being in that capacity, vested with the power of shewing mercy to Criminals sentenced by the Court: And the Court of *King's-Bench* and *Grand-Sessions*, hereby established, shall and is hereby declared to be, to all intents and purposes, a Court of *Record*, and the Justices thereof shall be and are hereby authorized and enabled to hold Courts, and to try and determine all Criminal Matters, by virtue of this Act, without further Writ, Commission or Authority: And the said Court shall have, and is hereby invested with the same and as full Power to hear, judge, determine and execute, in all Criminal Matters and Pleas of the Crown, arising within this Island, and the Islands thereon dependent, from High Treason, to the smallest Misdemeanour and Trespass inclusive, as the Court of *King's-Bench* hath in England, and as Justices of *Oyer* and *Terminer*, and *General Gaol-delivery* have in England, and as Justices of the Peace in England, in their Sessions have by Law; and the said Court shall also have, and is hereby invested with full Authority and Jurisdiction to hear, try, judge, determine, and cause to be executed all matters, concerning the making, altering and appointing Public Ways and Paths, and the making and appointing of Constables and Way-Wardens, and concerning all other things relating to the Public Peace or Police of the Island, which Justices of *Oyer* and *Terminer* and *General Gaol-Delivery* or Justices of the Peace, in their Sessions, or any of the same Justices are, by any Law of England, or by any Act of these Islands, impowered to do, and the said Court shall adjudge and determine, in all cases, according to the Law and Statutes of England, the Statutes of Great Britain, so far as

Clause I.

A Court of *King's-Bench* and *Grand-Sessions* of the *Peace* to be held, twice in every Year, in the Town of St. George, for hearing and determining all Criminal matters. Justices constituted.

Court declared a Court of *Record*.

Justices authorized to hold Courts and determine all criminal matters, by virtue of this Act, without further Writ.

Justices invested with as full power in all criminal matters and Pleas of the Crown as the Court of *King's-Bench* hath in England.

Court invested with full Authority to determine all Matters concerning the making public Ways and Paths and appointing of Constables and Waywardens.

Court to determine, according to the Laws of England, in force here, and the Acts of these Islands.

the same are, or shall be in Force here, and according to the particular Acts of these Islands : *And such Court of King's-Bench and Grand-Sessions of the Peace shall be held on the second Thursday, in the Months of May and September, in the present Year, and on the second Thursday in the Months of March and September, in every subsequent Year, at the House now used, or such other House, as shall from time to time, be appointed by the Legislature, and used as and for the Court-House.*

Clauses II. and III.

Repealed by Act No. 30.

Clause IV.

In taking the opinion of the Court the last Justice to vote first.

And be it also enacted, by the Authority aforesaid, That, in Taking the Opinion of the Court, the last Justice of the same Court, according to the Precedency herein before established, shall vote first, and every younger Justice, before his next Senior, upwards to the President.

Clause V.

Secretary to issue Summons by way of Letter to each of the Justices requiring his attendance.

Marshal to serve the same 6 days before the day appointed for holding the Court.

And be it also enacted, by the Authority aforesaid, That a Summons, by way of Letter, shall be issued, by the Secretary to each of the Justices of the said Court, requiring his attendance, at the Day hereby appointed for the holding of each Court of *King's-Bench* and *Grand-Sessions*, which Summons shall be delivered to the Marshal, in such time, as that he may serve them Six Days at least before the Day therein appointed ; and the Marshal or Deputy Marshal, or some of his Servants, appointed for that purpose, shall serve them accordingly.

Clause VI.

Repealed by Act No. 30.

Clause VII.

Secretary for the Time being to be Clerk of the Crown and Clerk of the Court hereby established. Provost Marshal, at his own expence, to provide a Crier and three more under Officers to attend the Grand and Petty Juries.

And be it also further enacted, by the Authority aforesaid, That the Secretary or Deputy Secretary, for the time being, shall be Clerk of the Crown and Clerk of the Court of *King's-Bench* and *Grand-Sessions* of the *Peace* hereby established ; and the Provost Marshal, or Deputy Provost Marshal of this Island, for the time being, shall be Marshal of the same Court ; and the said Provost Marshal or Deputy Provost Marshal shall, at his own Expence, provide and have a Crier, and at least three more under Officers, at every Court, to attend the Grand and Petty Juries.

Clause VIII.

Clerk of the Crown, 10 Days before the sitting of each Court to issue Precept in the King's Name directed to the Marshal requiring him to summon a sufficient Grand Jury and sufficient Petty Juries to serve at the next Court. Vide Act, No. 81, Clauses 11 and 44.

And be it further enacted, by the Authority aforesaid, That the Clerk of the Crown, shall, Ten Days at least before the sitting of each Court of *King's-Bench* and *Grand-Sessions*, issue out a Writ or Precept in the King's Name, directed to the Provost Marshal, or Deputy Provost Marshal, requiring him to Summon a sufficient Grand Jury, and sufficient Petty Juries of the Freeholders and Inhabitants of this Island, to serve at the next Court of *King's-Bench* and *Grand-Sessions* of the *Peace* to be held for this Island on the _____ Day of _____ in the Town of St. George in this Island, which Writ or Precept, shall be tested in manner and form following, to wit, Witness, the Justices of the said Court hereto subscribing and sealing : and the Marshal shall, and he is hereby required, to apply to some of the said Justices, beginning with the Senior Justice then upon the Island, and proceeding to the other according to Precedency, and shall get the said Writ or Precept signed by two or more of them.

Clause IX.

Marshal to summon Thirty Persons of the best Note (not being Members of the Court) to serve as Grand Jurors and Forty-eight Persons to serve as Petty Jurors. Vide Act, No. 81, Clause 44.

And be it further enacted, by the Authority aforesaid, That by virtue of the said Writ, the Provost Marshal, or Deputy Provost Marshal, shall summon Thirty Persons of the best Note (not being Members of the said Court of *King's-Bench* and *Grand-Sessions*) Freeholders and Inhabitants of this Island, to serve as Grand Jurors, and at least Forty-eight sufficient Freeholders and Inhabitants of this Island, not being Members of the said Court or Members of the Assembly, to serve as Petty Jurors, at the same Court respectively ; and to prevent disputes about the Notice to be given to such Jurors, the Summons shall and may be made by a short Writing, signed by the Marshal or Deputy Marshal to this Effect : Mr. A. B. appear on the _____ day of _____ and serve as a Grand Juror or Petty Juror (distinguishing which in the Summons), at the ensuing Court of *King's-Bench* and *Grand-Sessions* of the *Peace* : and such Summons shall be served either personally, or by leaving it at the usual place of abode of the Person summoned, at least four Days previous to the Day of attendance : and the Marshal or Deputy Marshal shall moreover notify the holding of every such Court,

Form of Summons.

Service how to be made, Marshal to

and require the attendance of the Persons hereby directed, or who shall be bound by Recognizance to appear at such Court, by proper Advertisements, in the manner heretofore used, to be inserted in the Gazette of this Island, Five Days at least before the holding of such Court, if any Gazette shall be then published in Grenada, and if there shall be no such Gazette, then by fixing up a similar publication in Writing, in a large Hand, at the Door of the Court-House in the Town of St. George, the same number of Days previous to the holding of the Court, which Advertisement or Publication is also to be made, in like manner, whenever a new Day for holding such Court shall be appointed by the Governor, in case of Alarm or other interruption as aforesaid.

And be it also enacted, by the Authority aforesaid, That, *Jurors not attending, or not appearing when called in Court, or departing without leave of the said Court, shall be Fined as follows, viz., A Grand Juror, for every such Default, Ten Pounds Current Money of Grenada, and a Petty Juror for every such Default, Five Pounds like Money.* And all Coroners, Way-Wardens, and Constables, of this Island, are hereby required, without further Notice, to attend at the said Courts respectively, and to continue such attendance during the whole Sittings, unless they shall be excused or sooner discharged by the Court.

And be it also further enacted, by the Authority aforesaid, That all Officers, Coroners, Way-Wardens, Town-Wardens, Constables, and other Persons whatsoever, who are, by this Act, required to attend the Court of *King's-Bench* and *Grand-Sessions* of the *Peace*, hereby established, shall, in case of non-attendance, be liable to be fined, not less than Three Pounds, nor more than Ten Pounds Current Money of Grenada; Except always that the Justices of the same Court shall not be liable to any Fines, for not attending as Justices, but they shall be liable to Fines for non-attendance in any other capacity.

And be it further enacted, by the Authority aforesaid, That there shall be provided, at the Expence of the Public of this Island, a Staff for each Constable, in the said Island, of Six Feet long, and of a proper Thickness, and of a durable and tough Wood, with the Word *GRENADA* painted at the upper end thereof, which Staves shall be lodged in the Office of the said Marshal, and shall be delivered out to the Constables, during the Sessions of the said Court, and returned to the Provost-Marshal or Deputy Provost-Marshal, at the end of each Session, and the Number of such Staves is to be kept up, if any of them should be broken or lost.

And be it enacted, by the Authority aforesaid, That all Justices of the Peace, Coroners and other Persons, who have already taken, or who shall hereafter take any Inquest, Depositions, Recognizances, or other Papers, relating to the Peace or to Matters cognizable by the Court, hereby established, shall and are hereby required to send the same to the Clerk of the Crown, Four Days before the holding of each Court, and if the same should happen to be taken within such Four Days, then as soon after the taking thereof as conveniently may be.

And be it also enacted, by the Authority aforesaid, that all Recognizances or other Securities for appearance of any Person or Persons, at the Sessions of the *Peace*, which have been taken since the Tenth Day of *January* last, or which shall hereafter be taken by any Magistrate, Justice of the Peace, Coroner, or other Person thereto authorised, shall be binding on the Person or Persons so bound or ordered to appear, for his, her or their appearance, at the first Court to be held, under this Act, next after such Recognizance or Security taken, and shall be liable to be forfeited in Case of Non-appearance, as aforesaid, although no mention should be therein made of the particular stile or stiles of the Court, hereby established, or of the Time of holding the same, or although the stile of such Court shall be inaccurately or improperly expressed in such Recognizance or Security.

And be it also enacted, by the Authority aforesaid, That any Persons who

notify the holding of the Court by Advertisement in the Gazette, to be inserted five days at least before the holding of the Court. If no Gazette, Publication in Writing to be fixed up at the Court-House door.

Clause X.
Jurors not attending to be fined as follows, viz.—
A Grand Juror £10.
A Petty Juror £5.
Coroners, Way and Town Wardens, and Constables, required to attend.
Vide Act, No. 81, Clause 44.

Clause XI.
Officers, Coroners, Way and Town Wardens, Constables and other Persons required to attend, and fined for non-attendance.
Justices only Fineable for non-attendance in any other capacity.

Clause XII.
A Staff to be provided, at the Public Expence, for each Constable.

Staves to be lodged in the Marshal's Office, and delivered out to the Constables during the Sessions of the Court.

Clause XIII.
Justices and Coroners required to return Inquests, Depositions and Recognizances to the Clerk of the Crown, 4 Days before the holding of each Court.

Clause XIV.
Recognizances or other Securities taken, for appearance since 10th Jan. 1784, or which shall hereafter be taken, declared binding.

And forfeited for Non-appearance notwithstanding any Inaccuracy in taking such Recognizances.

Clause XV.

Secretary to give shall be concerned to defend or prosecute in the Court, hereby established, Parties *Subpenas*, shall and may have, from the Secretary or Deputy Secretary, *Subpenas* for Witnesses. under Penalty of Fifty Pounds, Current Money of this Island, for each Witness not attending, and every such *Subpena* shall be signed and sealed only by the Secretary or Deputy Secretary of this Island, for the Time being, and shall run in the King's Name, and be tested in the Name of the Person intitled to preside in the Court, and such *Subpenas* shall and may be served, and the penalty for Non-attendance thereon, be recovered, in the same Manner, and for the same Uses, as in Cases of *Subpenas* for Witnesses summoned to attend the Court of *Common-Pleas* of this Island; But, nevertheless, Witnesses may be bound over, by Recognizance, to appear and give Evidence, at the Court, as heretofore.

Service of *Subpenas* and Penalty of Non-attendance.

Clause XVI.
Secretary to return, within two Months, to the Chief Justice and Treasurer, Abstracts of all Recognizances forfeited, and Fines imposed.

Capias to issue for Fines.

Recognizances to be prosecuted by *scire facias* or Action of Debt, in the Court of *Common-Pleas*

Execution to run and be levied thereon, immediately.
Sale may be made at any Time of the Year.
Costs and Fees.

Officers required to assist in levying and receiving Fines and Recognizances.

Treasurer to advance public Monies for carrying on Prosecutions, and to apply to the Attorney General to commence Prosecutions.

Clause XVII.
Marshal required to collect Monies due for Fines and forfeited Recognizances.

And be it and it is hereby enacted, by the Authority aforesaid, That the Secretary or Deputy Secretary, respectively, shall and is hereby required, within Two Months after the holding of each Court, to return, under his Hand, to the Chief Justice, or in his absence, to the Senior Justice of the Court of *Common-Pleas*, in this Island, for the time being, one complete abstract of all Recognizances forfeited, and of all Fines imposed in the Court, hereby established, specifying those in which the Monies shall not have been paid down, or the Party committed for such Fines; and also to deliver a duplicate of the same abstract to the Treasurer of this Island, or his lawful Deputy, for the time being; and the same Fines shall be levied and recovered, and the said Recognizances prosecuted and recovered, in the manner herein after directed, (that is to say) a *Capias* or other proper Process, for the Fine, shall and may issue and be proceeded upon, in the said Court of *Common-Pleas*, in the same manner as by the Act, for re-establishing such Court of *Common-Pleas* is or shall be directed to be done for Fines, imposed upon Jurors, there making Default of appearance; and, if no particular method of proceeding shall be there established, the same Court of *Common-Pleas* shall proceed, as nearly as may be to the practice of the same Court in *England*, in the like cases, and costs shall be allowed thereon, and all usual Fees shall be paid thereon, to the Judges and Officers, as in Suits commenced by subjects; and the method of prosecuting such Recognizances, in the said Court of *Common Pleas*, shall be by *scire facias* or Action of Debt, at the Suit of the Crown, as nearly as may be, in the manner used in the same Court for proceeding upon *scire facias* or Actions of Debt on Judgment, between subject and subject; and Executions shall run and be levied thereon immediately; and, on such Levy, the Marshal shall and may immediately proceed to Sale, at any time of the Year; and Costs shall be recoverable, on the prosecution of such *scire facias* or Actions of Debt, and the same Fees shall be paid thereon, to all Justices and Officers, as in the like Suits commenced by subjects; and the said Chief Justice or next Senior Justice of the *Common-Pleas*, the said Treasurer or Deputy and the said Marshal or Deputy Marshal are hereby required, in their respective Offices, to promote and assist in levying and receiving all such Fines and Recognizances; and the Treasurer and his Deputy shall be, and are hereby impowered and required to advance public Monies, for the carrying on such prosecutions, and shall apply to the King's Attorney General, if any upon this Island; or else to the King's Solicitor General, if any on this Island; and, in their absence, to any King's Counsel at Law, and if there shall be none such, then to any Counsel at Law, upon this Island, to commence and carry on all such prosecutions, and shall pay them reasonable and usual Fees.

And be it enacted, by the Authority aforesaid, That the Provost Marshal and Deputy Provost Marshal, respectively, for the Time being, shall be and are hereby impowered and strictly enjoined and required, diligently to receive and collect in all Monies due, or to become due, for any Fines aforesaid, in the said Court of *King's-Bench*, and *Grand-Sessions* of the

Peace, or for any Recognizance forfeited or to be forfeited, as aforesaid, and to discharge the Party, actually and *bona fide* paying the same; and the Marshal or Deputy Marshal shall, annually or oftener, if called upon by the Treasurer, or his lawful Deputy, or by the Committee of Public Accounts of the Council and Assembly of this Island, from Time to Time, to be appointed, account, on Oath, for the Monies collected and received for such Fines or forfeited Recognizances, and pay the balance into the Hands of the Treasurer of this Island, or his Deputy, for the Time being, upon Pain of answering double the Value thereof to His Majesty, his Heirs and Successors, in any Suit to be commenced for the same.

And to account annually, or oftener, if required, for Monies collected.

And pay Balance into the Hands of the Treasurer or forfeit double the Value.

And, for the encouragement of the Marshal in doing his Duty in collecting such Fines and other Monies which may become due, as aforesaid, upon forfeited Recognizances; Be it further enacted, by the Authority aforesaid, that, for all Monies arising thereby, which shall be paid by such Marshal or Deputy Marshal, without Suit or Prosecution at Law to compel him to the payment thereof, he shall retain and be allowed a Poundage at and after the rate of Five *per Centum*.

Clause XVIII.
Marshal allowed 5 per cent for collecting Monies due upon forfeited recognizances.
Vide Act, No. 87, Clause 4.

And be it further enacted, by the Authority aforesaid, That all monies which, after the Payment of the Charges of collecting the same, shall be raised and paid in, on Account of any Fines or Forfeitures to be imposed by the Court hereby established, or which shall arise by Forfeitures of Recognizances which shall hereafter be taken for appearances at the Court, hereby established, shall be to the Use of His Majesty, his Heirs and Successors, and applied as follows (*to wit*) First to bear the incidental Charges of the Court, hereby established, and the remainder for the Public Uses of these Islands,

Clause XIX.
Application of Fines and Forfeitures.

And be it hereby further enacted, by the Authority aforesaid, That the Court of *King's-Bench* and *Grand-Sessions* of the *Peace*, hereby established, shall have power, during the same Session, but not afterwards, to mitigate or take off any Fine by such Court imposed: Provided nevertheless, that as the Fines on Grand Jurors and Petty Jurors for non-appearance are hereby fixed to Sums certain such Fines shall not be mitigated, but shall be either entirely taken off, on reasonable cause shewn, or remain for the whole, where no such reasonable cause shall appear.

Clause XX.
Power of Court to mitigate or take off Fines.

Proviso.
Fines on Grand and Petty Jurors to be entirely taken off or remain for the whole.
Vide Act, No 81.

And be it enacted, by the Authority aforesaid, that all proceedings in the Court of *King's-Bench* and *Grand-Sessions* of the *Peace*, hereby established, shall be carried on, as usual, in the English tongue, by Indictment, Presentment, Appeal, Information, Bill, Petition or otherwise, as agreeable as may be to the forms and practice of the Court of *King's-Bench*, Court of *Oyer and Terminer* and *Sessions* of the *Peace* in *England*, and according to the usual practice, heretofore observed in such Courts held in this Island.

Clause XXI.
Proceedings to be carried on in the English Tongue according to the Forms and practice of the *King's-Bench* in *England*.

And be it further enacted, by the Authority aforesaid, That if any Person or Persons, whatsoever, shall be indicted of any Offence for which, by virtue of any Statute in Force in these Islands or by any of the Laws of these Islands, he, she or they are excluded from having the benefit of his, her or their Clergy, when convicted thereof by verdict or confession, and shall, on such Indictment, stand mute or will not answer directly, to the Felony, or shall challenge, peremptorily, above the number of Twenty Persons, returned to be of the Jury, or shall be outlawed thereupon, such Person or Persons shall not be admitted to the benefit of Clergy.

Clause XXII.
Persons indicted for Offences, not Clergyable, and standing mute or peremptorily challenging above 20 Jurors, not admitted to the Benefit of Clergy.
Vide Act, No. 79, Clauses 11. 12. 15.

And, to prevent the Inconvenience which might arise, in the application for Bail, in Criminal Cases; from the Court of *King's-Bench* and *Grand Sessions* of the *Peace*, hereby established, sitting only twice a Year and for a few Days: Be it therefore enacted, by the Authority aforesaid, that any two or more of the Justices of the said Court of *King's-Bench* and *Grand Sessions* of the *Peace*, being then also Justices of the Court of *Common-Pleas* of this Island, shall have Power, and may, at any Time in the Year, take and admit Bail, in all Cases, as fully as the Court of *King's-Bench* in *England* can do there, in Term-time, or the Judges thereof, out of Term-

Clause XXIII.

Any two Justices of the Court, being also Justices of the *Common-Pleas*, empowered to take Bail in all Cases as fully as the *King's-Bench* in *England* can do.

Proviso.

Nothing herein contained to hinder the Commander-in-Chief from issuing Commissions of *Oyer* and *Terminer* and *Gaol Delivery*. Courts held, by Virtue of such Commissions, to proceed in Manner directed by this Act.

time, Provided always, and be it enacted, by the Authority aforesaid, that nothing herein contained, shall be construed to bar or hinder His Majesty's Commander-in-Chief of these Islands, for the Time being, at any Time or Times, from issuing any Commission or Commissions of *Oyer* and *Terminer* and *Gaol Delivery*, when he shall see fit so to do, and the Courts to be held, by Virtue of such Commissions, shall proceed, in the Manner and according to the Rules and Methods, herein prescribed, for the Proceedings of the Court of *King's-Bench* and *Grand Sessions* of the *Peace*, hereby established; and the like Summons, Processes and *Subpœnas* shall and may issue for the Justices, appointed to hold such Court, and for Jurors and Witnesses: And all Jurors, Officers and Constables, by this Act required to appear at the Court of *King's-Bench* and *Grand Sessions* of the *Peace*, shall and are hereby directed to attend at every Court, to be held, by Virtue of such Commissions, and in case of Non-attendance, shall and may be fined and punished, by that Court, in the same manner, in all Respects, as they are hereby made punishable for Non-appearance, in the like Cases at the Court of *King's-Bench* and *Grand Sessions* of the *Peace*, and such Fines shall and may be recovered, in the Court of *Common-Pleas*, in Manner herein before directed.

Clauses XXIV. and XXV.

Clause XXVI.
Act to continue in Force for two years and from thence until some other Establishment shall be made and enacted.

Repealed by Act, No. CLVII.

And be it further enacted, by the Authority aforesaid, That this Act shall continue and remain in force, for the space and term of Two Years, from the Date hereof, and from thenceforth until some other Establishment shall be made and enacted, by the Legislature of these Islands, for carrying into Execution the purposes intended by the Act.

No. XVII.

An Act for establishing Signal Posts, for erecting Batteries, and keeping the same in repair; empowering the Commander-in-Chief to appoint Master Gunners to take Care of such Batteries, and fixing their Salaries. [April 7, 1785.]

Preamble.

WHEREAS, it is necessary to establish Signal Posts, and to repair, and to keep in Repair, such Batteries round the Coasts of these Islands as are already constructed, and to construct others, as well for the defence of the same, [as] the protection of the Shipping trading thereto: We, Your Majesty's most dutiful, loyal, and obedient Subjects, the Governor-in-Chief of Your Majesty's Island of *Grenada*, and such of the *Grenadines*, as lie to the Southward of the Island of *Carriacou*, including that Island; the Honourable the Members of Your Majesty's Council, and the Representatives of the People of the said Islands, pray Your Majesty that it may be enacted and ordained; and be it, and it is hereby enacted and ordained by the Authority of the same, That Signal Posts shall and may be established at each and every of the following places, in such manner as the Commander-in-Chief for the Time being shall be pleased to order and direct; viz. At *Bois Morice Point*, at the South Point of the *Black Bay*, upon *Grand Roy Hill*, upon the South Point of *Palmiste*, at *Charlotte-town*, at *Gros Point*, upon the North Point of the Town of *Saint Mark's*, at *Waltham Point*, upon the High Land between *Waltham Point* and *Tyrrel's Road* at *Petit David*, at *Mount Alexander*, on *Saint Patrick's Point*, on the High Land at *Madey's*, or upon the High Lands of Mr. Snell's *Levera Estate*, on the Battery at *Levera*, on the Point of *Mount Rose Estate*, on the Point of the River *Antoine*, on the *Telescope Point*, on *Morne La Mare*, on *Post Royal*, on *Fournellier's Point*, on the Hill between *Upper Latante* and *Legaigues*, on the North Point of *La Sagesse Bay*, on the Point of *Saint David's*, on the *Guinea Grass Hill*, at the Boundary between *Bacolet* and *Westerhall Estates*, on *Moritz Hardman's Hill*, and on *Morne Rouge*, in this Island; on the South-west Point of *Point Pilotte* in the Island of *Car-*

Clause I.
Signal Posts to be erected at Stations in the Act specified, or at such of them, or such other places as the Commander-in-Chief shall judge necessary.

riacou; and in the *Isle Ronde*, on the Hill above the North Bay; and that a Watch-house, and a good substantial Flag Staff, with proper Flags, Lanthorns, and Hallyards, as shall be judged necessary by the Commander-in-Chief for the Time being, be erected at each of the above Posts, whenever the Commander-in-Chief shall order the same, to make the different Signals: Provided nevertheless, That if the Commander-in-Chief for the Time being shall be of Opinion, upon inspection of the Ground, that any of the said Signal Posts are unnecessary, or that they can be placed to greater advantage, he is hereby authorised to alter the station, or omit the Erection of all or of any such Signal Posts; any thing herein before contained to the contrary notwithstanding.

And be it enacted by the Authority aforesaid, That Guns shall and may be placed at each and every of the following places, of such nature, and in such numbers, as the Commander-in-Chief for the Time being shall be pleased to direct; viz. At *Bois Morice Point*, at the South Point of *Beau-sejour Bay*, upon the *Bluff Point* in the centre of *Halifax Bay*, at *Black Bay Point*, upon the South Point of *Palmiste Bay*, at *Charlotte Town*, upon the North Point of *Saint Mark's*, upon the South Point of *Tyrrel's Bay*, upon the South Point of *Petit David Bay*, upon *Saint Patrick's Point*, upon *Levera Point*, at *Telescope Battery*, on the North side of *Grenville Bay*, upon the North Point of *Saint Andrew's*, upon the South Point of *Grand Bacolet Bay*, upon the Point of *Lower Latante*, upon the Point of the Town of *Saint David's*, upon *Caliviny Point*, upon the South-east Part of *Hog Island*, upon the West Point of *Lance Lepine*, in this Island; and at the Battery above the Town of *Hillsborough*, the Battery upon *Point Pilote*, the Battery at *Tyrrel's Bay*, the Battery at the *Petit Carenage*, at *L'Esterre*, at *Tyrrel's North Point*, at *Belmont Pasture*, at *Grand Bay South Point*, at *Grand Bay North Point*, at *Dumfries Bay*, at *Bay a L'Eau*, at *Ance La Proche*, at *Urgu-hart's Point*, and the Battery at *Robertson's Point*, in the Island of *Carriacou*; and at any two Places in the *Isle Ronde*: And that it shall and may be lawful for the Commander-in-Chief to appoint a Gunner for every Parish in this Island, and one at the Town of *Hillsborough* in the Island of *Carriacou*, who shall be obliged to reside at or near the principal Town of such Parish to which he may be appointed; and every Master Gunner so appointed shall, and he is hereby required to enter into Bond, with Security, to the satisfaction of the Commander-in-Chief, for the due Execution and faithful Performance of his Office, and shall thereupon take Charge of the said Signal-Post Guns, and the Ammunition thereto belonging respectively; and every such Gunner shall and may be allowed a Salary not exceeding Fifty Pounds Current Money per Annum, payable out of such Public Monies as shall be in the Public Treasury of these Islands, not otherwise appropriated: and the Public Treasurer is hereby required to pay the same to such Gunner or Gunners producing a proper Warrant or Warrants, signed by the Captain-General or Commander-in-Chief, in the same Manner as directed by the Eleventh Clause of an Act of these Islands, intituled "An Act to regulate, restrict, and direct the Conduct of the Public Treasurers of these Islands, and to fix their Salaries."

Clause II.
Guns to be placed
at the different bat-
teries.

Commander-in-
Chief to appoint One
Gunner for every
Parish in this Is-
land, and One for
the Island of *Carri-
cou*, who are to give
Bond with Security
for the faithful dis-
charge of their Of-
fices.

Master Gunners to
be paid an Annual
Salary of £50 Cur-
rent Money.
Vide Act, No. 23.

And, to the end that the said Signal-Posts and Batteries be properly erected, or repaired with proper Materials, and that the same may be done at the least possible Expence to the Public; Be it enacted by the Authority aforesaid, That as soon as the Spots shall be fixed on as aforesaid, upon which such Signal-Posts and Batteries shall be intended to be erected, and which are not already erected, and the Dimensions of the same, as well as the Materials of which the same shall be intended to be composed, shall be ascertained, it shall and may be lawful for the Commissioners herein-after named to contract with proper Persons to undertake such Work, and furnish Materials, provided such Person or Persons shall enter into Bond, with Security to the Satisfaction of the said Commissioners conditioned for the due and faithful Performance of such Contract.

Clause III.

Commissioners in-
powered to contract
for the building of
the several Batta-
ries.

Clause IV.

And, that the several Sums in such Contracts may be paid with as little delay as possible, after the said Contracts shall be respectively fulfilled :
 Be it enacted by the Authority aforesaid, that such Person or Persons so contracted with, on producing a Certificate to the Commander-in-Chief from the respective Commissioners, that the Condition of said Contracts have been faithfully performed, shall be entitled to receive a Warrant from the said Commander-in-Chief, directed to the Treasurer of the Island in which such Work was performed, authorising and requiring him to pay to the Holder of such Certificate the Sum therein mentioned, out of the first Public Monies that may be or shall come into his Hands, and not otherwise especially appropriated ; which Sum the said Treasurer is hereby authorised and required to pay to such Person and Persons accordingly.

Clause V.

And be it further enacted by the Authority aforesaid, That the Representatives of the respective Parishes, or any Two of them, with One Member of the Council for the Time being, shall be Commissioners for contracting with proper Persons for the Work and Materials as aforesaid, taking Bonds, and granting the necessary Certificates of the due Performance of the Contract : Provided always, That no Contract so to be entered into shall exceed the Sum of Fifty Pounds, on any One Battery, without the special Consent and Approbation of both Houses of the Legislature first had and obtained.

The Commander-in-Chief impowered to draw upon the Public Treasurer for the Amount of any sum that shall have been Contracted on Account of the Batteries and Signal Posts.
 The Representatives of the respective Parishes, or any Two of them, with One Member of the Council Commissioners.
 Provision.
 No Contract to exceed the sum of £50.

No. XVIII.

Vide Act, No. 20.

An Act to confirm a Contract lately made by the Council and Assembly with the Honorable *William Lucas*, for the Purchase of certain Lands, Messuages, Tenements, and Hereditaments, lying in the Parish of *Saint George*, to vest the same in Trustees, for the Purposes therein mentioned ; and to provide for the due payment of the Sum of Twenty Thousand Pounds, agreed to be given for the Purchase thereof ; and for other Purposes relating thereto, herein mentioned. [August 25, 1785.]

Preamble.

WHEREAS, during the late War, this Island having surrendered to the Arms of His Most Christian Majesty, the *French* Governors seized upon and took Possession of sundry Lands in the Neighbourhood of the Town of *Saint George*, belonging to different Proprietors, and erected some Fortifications and Intrenchments thereon : And whereas, since the Restitution of the Island, it has been thought expedient to preserve and improve those Fortifications, and to make reasonable and just satisfaction to the said Owners and Proprietors, not only for the Lands, Tenements, and Hereditaments so occupied, or thought likely to be wanted, and proper to be reserved for the purposes of defence, but also for such adjoining Lands as must unavoidably be damaged or rendered wholly useless to the said Owners and Proprietors by reason of such Fortifications or Intrenchments : And whereas, the Plantation of *Mount George*, belonging to the Honorable *William Lucas*, is the Property which was principally affected by the said Fortifications and Intrenchments, in so much that, after taking off from the same such Lands as were necessary to be reserved for the above-mentioned purposes, the Residue would be of little or no value as a Plantation : And whereas, in consideration of this circumstance, the Council and Assembly thought fit to treat with the said *William Lucas* for the purchase of the whole of his said Plantation, containing, or supposed to contain, about Two Hundred and Fifteen Acres of Land, together with the Tenements, Messuages, and Buildings thereon erected and being, with a

view of vesting such parts thereof to the use of the Crown as shall be proper to be reserved for the purposes of the defence of this Island, and of disposing of the Residue of the said Land in Lots, either by Sale or long Leases, in order to reimburse to the Colony a part of the said Purchase-Money: And whereas, in pursuance of a Resolution of the Two Houses, bearing date the Twenty-third Day of *October*, One Thousand Seven Hundred and Eighty-four (among other matters therein contained) the Sum of Twenty Thousand Pounds, Current Money, was offered to the said *William Lucas* for the whole of his *Mount George Estate*, consisting of Two Hundred and Eight Acres and Three-Fifths of an Acre of Freehold Land, and Six Acres and Two-Fifths of an Acre of Leasehold, held from the Colony Hospital for a term of Ninety-Nine Years; the payment of which Twenty Thousand Pounds was proposed to be made by Three equal Instalments, One in each and every of the Years One Thousand Seven Hundred and Eighty-six, One Thousand Seven Hundred and Eighty-seven, and One Thousand Seven Hundred and Eighty-eight, but without interest in the mean time: And whereas the said *William Lucas*, having acceded to such offer, it is unnecessary to have the value of the said Plantation and Premises ascertained by a Jury, or otherwise; but it is nevertheless expedient to ratify the said Bargain by an Act of the Legislature, and to vest the said Plantation, with the Messuages, Tenements, and Hereditaments thereto belonging, in Trustees, for the better effecting of the several purposes proposed by the Legislature in making such Purchase: We, therefore, Your Majesty's most dutiful, loyal, and obedient Subjects, his Honor the Commander-in-Chief of these Your Majesty's Islands of *Grenada* and such of the *Grenadines* as lie to the Southward of the Island of *Carriacou*, including that Island; the Honorable the Members of Your Majesty's Council, and the General Assembly of the said Islands, pray Your most excellent Majesty, that it may be enacted; And be it, and it is hereby enacted and ordained by the Authority of the same, and by and with the consent of the said *William Lucas* as aforesaid, That all that Plantation, Piece, or Parcel of Land, called or known by the Name of *Mount George Estate*, containing, by Estimation, Two Hundred and Fifteen Acres, be the same more or less, situate, lying, and being in the Parish of *Saint George*, in this Island of *Grenada*, and all Messuages, Tenements, Hereditaments, and Appurtenances thereto belonging, being the Property of the said *William Lucas*, and late in his Tenure and Occupation, or in the Tenure and Occupation of his Tenants, Managers, Overseers, or others claiming under him, shall be, and is and are hereby vested and settled, and declared and taken to be in the actual and real Possession and Seisen of the Honorable *Michael Scott*, *Ninian Home*, *Kenneth Francis Mackenzie*, *Alexander Campbell*, *Thomas Campbell*, *Robert Harvey*, *Edmund Proudfoot*, and *John Ahmuty*, Esquires, and their Heirs and Successors, to be nominated and appointed as herein-after mentioned; and, in default of such nomination or appointment, of the Heirs of the last survivor of them; In Trust, nevertheless for the said *William Lucas*, or such other Person or Persons as, or immediately before the time of making this Act, was or were the Owner and Proprietor or Owners and Proprietors thereof, according to their several Estates and Interests therein at the same time in possession, reversion, remainder or otherwise, until the said whole principal Sum of Twenty Thousand Pounds, Current Money, shall be raised and paid to the said *William Lucas*, his Executors, Administrators, or Assigns, or to and amongst such other Person or Persons as shall be found to have any Claim or Demand or Interest therein, by Mortgage, or other Lien affecting the said Plantation and Premises, or any part thereof, in Manner herein-after mentioned: Provided always, that as to so much of the Lands as are now, or may be hereafter intended to be vested in the said Trustees, to the use of His Majesty, his Heirs and Successors, for the uses and purposes herein-after specified, the said Trustees shall permit and suffer His Majesty's Governor or Com-

Clause I.

The Plantation or Parcel of Land called *Mount George*, vested in the Honorable *Michael Scott*, *Ninian Home*, and *Kenneth Francis Mackenzie*, *Alexander Campbell*, *Robert Harvey*, *Edmund Proudfoot*, and *John Ahmuty*, Esqrs., in Trust until the Principal Sum of £20,000 Currency shall be paid,

Proviso.
The Trustees to permit and suffer the Governor or Commander-in-Chief, and the Officers of His Majesty's Navy, Ordnance and Engineers, to continue to occupy so much of the Lands as are or may be vested in the said Trustees for the use of His Majesty, and to

erect and carry on the Buildings, Fortifications, and Intrenchments, intended to be made thereupon.

Clause II.

The Sum of £20,000 to be paid by the Public Treasurer to *William Lucas*, at the Times and in the Proportions following; to wit,

£8,666 13s. 4d. on the 31st December, 1786;

£8,666 13s. 4d. on the 31st December, 1787;

£8,666 13s. 4d. on the 31st December, 1788.

Payments to be made in Cash, without Deduction, at the Treasurer's Office, and to be reserved out of the first Monies to be raised by Taxes in the said Three Years, in preference to all other Debts.

Interest at 6 per Cent. per Annum. to be allowed on Payments in Arrear.

Clause III.

If, by the 1st of July in each of the Three Years, there shall not be raised the sum of £8,666 13s 4d expressly applicable to the use of the said *William Lucas*, then

mander-in-Chief, and the Officers of His Majesty's Navy, Ordnance, or Engineers, or other Officers acting under his Authority, to continue to occupy the same, and to erect and carry on the Buildings, Fortifications, and Intrenchments intended to be made thereupon.

And in order to ratify the Bargain so made with the said *William Lucas*, and to provide for the due and faithful discharge of the said Contract, be it enacted and ordained by the Authority aforesaid, That the said Sum of Twenty Thousand Pounds, Current Money, shall be paid by the public Treasurer for the time being, to the said *William Lucas*, his Executors, Administrators, or Assigns, or to others the parties interested, their Executors or Administrators, or to such other Person or Persons as he or they shall direct or appoint, at the times and in the proportions following: to wit, the Sum of Six Thousand Six Hundred and Sixty-six Pounds Thirteen Shillings and Four Pence, Current Money, on or before the Thirty-first Day of *December*, which will be in the Year of our Lord One Thousand Seven Hundred and Eighty-Six; the like Sum of Six Thousand Six Hundred and Sixty-six Pounds Thirteen Shillings and Four Pence, on or before the Thirty-first Day of *December*, which will be in the Year of our Lord One Thousand Seven Hundred and Eighty-seven; and the like Sum of Six Thousand Six Hundred and Sixty-six Pounds Thirteen Shillings and Four Pence, on or before the Thirty-first Day of *December*, which will be in the Year of our Lord One Thousand Seven Hundred and Eighty-eight: And that each and every of the said payments shall be made to the said *William Lucas*, his Executors, Administrators, or Assigns, or others the parties interested in the said Lands, Tenements, Hereditaments, and Premises, so intended to be purchased, their Executors, Administrators, or Assigns, in the several and respective proportions in which they are severally and respectively interested therein, in Cash, without deduction or abatement, at the Treasurer's Office; and which payments shall be reserved and taken out of the First Monies which shall be raised, paid in, and received by virtue of any Act or Acts to be hereafter passed, imposing any Taxes or Rates to be collected in the said Three Years for the discharge of the Public Debts or Contingent Expences of this Government; and that the said payments shall be duly made in each respective Year, before and in preference to all other Debts, Claims, Contingent Accounts, or Expences whatsoever, to be paid or satisfied out of the Rates and Taxes so to be raised and collected; any thing in the act made to regulate, restrict, and direct the conduct of the Treasurer, or in any other Act heretofore passed, contained to the contrary hereof in any wise notwithstanding; And that if any of the said payments, or any part thereof, shall happen to be behind, and in Arrear, over and beyond the days on which the same are hereby respectively directed to be made, then, and in such case, there shall be allowed and paid to the said *William Lucas*, his Executors, Administrators, or Assigns, or other the parties interested, their Executors, Administrators, or Assigns, as herein-before mentioned, Interest at and after the Rate of Six *per Cent. per Annum*, on the Sum or Sums so in Arrear and unpaid, to be computed from the Day on which such Monies ought to have been paid, until actual and full payment thereof.

And, in Order the better to secure to the said *William Lucas*, and others the Parties interested, the due payment of the said several Sums, in Case no such Tax Acts should happen to be passed, nor any Monies happen to be raised for the service of this Government in any of the said Three respective Years: Be it, and it is hereby enacted by the Authority aforesaid, That if it shall happen, in any One or more of the said Three Years, that by the first Day of the Month of *July* in any such Year, there shall not have been raised, levied and secured, the said Sum of Six Thousand Six Hundred and Sixty-six Pounds Thirteen Shillings and Four Pence, expressly applicable to the use of the said *William Lucas*, his Executors, Administrators, or Assigns, or other the parties herein-before mentioned, their Exe-

cutors, Administrators, or Assigns, by virtue of an Act or Acts to be passed for raising Monies in such Year or Years respectively, then, and in each of the said Years, when the case shall so happen, there shall be given and granted unto His Majesty, his Heirs or Successors, the several Rates and Taxes herein-after mentioned, to be specifically and exclusively applied to the uses herein-after specified; that is to say, there shall be paid, by all and every the Owners or Possessors of Taxable Property, within the Government of the Island of *Grenada*, and its Dependencies, a Rate or Tax on the same Objects, equal to one full Third of all the several Rates and Taxes which were imposed on the like Objects, and are directed to be paid in each of the Years One Thousand Seven Hundred and Eighty-four, and One Thousand Seven Hundred and Eighty-five, in and by a certain Act, passed on the Fifth Day of *July*, One Thousand Seven Hundred and Eighty-four, intituled, "An Act for granting an Aid to his Majesty, by Taxes to be raised in the Island of *Grenada*, and the other Islands thereon depending; and for appropriating the same towards discharging the Public Debts, and defraying the Current Expences of the said Island;" and that the said equal Third part of the same Rates and Taxes shall be ascertained and collected, and the payment thereof enforced in all respects, at the like Times in each Year, in the like manner, and under the same restrictions, penalties, and forfeitures, as the Rates and Taxes paid and to be paid by virtue of the said recited Act are directed to be ascertained, collected, and paid in, with the like ample Powers and Authorities to the Magistrates, Treasurers, and other Officers necessarily to be employed in the collecting of the said Rates and Taxes hereby imposed, as are given to them respectively by the said recited Act for the collecting the Taxes thereby imposed as fully, absolutely, and effectually, to all Intents and Purposes, as if the several Provisions of that Act were herein repeated at large, and applied to the One equal Third amount hereby imposed: which said amount so to be raised shall be applied, in the First Place, to pay and satisfy the said *William Lucas*, his Executors, Administrators, or Assigns, and other the parties interested, their Executors, Administrators, or Assigns, as herein-before mentioned, such part, and so much of the Sums then due to him or them, by virtue of this Act, as shall remain unpaid, together with the Interest (if any) accrued thereon; and after payment thereof, the surplus of such Amount of the Taxes so to be raised shall remain at the disposal of the Legislature of these Islands, and be applied to such purposes, and in aid of such other Funds, as shall be from time to time directed by the Legislature. Provided always, nevertheless, That before the said *William Lucas*, his Executors, Administrators, or Assigns, or other the Parties interested, their Executors, Administrators, or Assigns, as herein-before mentioned, shall be intitled to receive out of the Treasury the first payment of Six Thousand Six Hundred and Sixty-six Pounds Thirteen Shillings and Four-pence, herein-before made payable in the Year One Thousand Seven Hundred and Eighty-six, he or they shall well and sufficiently pay off, and cause to be discharged and released, all Mortgages and Liens whatsoever, if any there be, affecting the said Premises, or any part thereof, and shall produce to the Treasurer for the time being a Certificate, under the Hand of the Secretary and Register for the time being, or his Lawful Deputy, testifying that there are not any Mortgages, Recognizances, or other Liens whatsoever, either in the Register's or Secretary's Office, affecting the said Plantation of *Mount George*, or any Part thereof; and that in default of producing such Certificate, the said first Payment or Sum of Six Thousand Six Hundred and Sixty-six Pounds Thirteen Shillings and Four-pence, shall be retained in the Treasury, and be applied, so far as it may be found requisite, to pay off and satisfy any such Mortgages or Incumbrances, and the Residue only for the Use of the said *William Lucas*, his Executors, Administrators, or Assigns; any thing herein-before contained to the contrary thereof in any wise notwithstanding.

One Third of the Taxes directed to be paid in the Years 1784 and 1785, by an Act for granting an Aid to His Majesty, &c., are to be levied at the Times and in the Manner directed by the said Act, and applied, in the first place, to pay and satisfy the said *William Lucas*, such Sums as shall then remain unpaid, with Interest, and the surplus to be at the disposal of the Legislature.

Proviso.
That before Mr. *Lucas* shall be entitled to receive the first Instalment, he is to pay off all the Incumbrances on the Lands, and produce to the Treasurer a Certificate, under the Hand of the Secretary and Register, that there are no Incumbrances on the said Lands; and in Default of producing such Certificate, the Instalment is to be retained in the Treasury, and applied to pay off the Incumbrances.

Clause IV.

The Trustees and their Heirs declared to be seized, immediately after the Publication of the Act, to the use of Mr. Lucas, as a Security for the payment of the Purchase Money.

Trustees to permit and suffer the Governor or Commander-in-Chief, and the Officers acting under his Authority, to possess so much of the Lands as may be deemed requisite to erect Fortifications and other Public Buildings for the defence of the Island.

Proviso.

In Case the Fortifications erected or to be erected, shall be esteemed unnecessary to be maintained, then the Trustees are to stand seized to the use of the Public of Grenada.

Clause V.

Description of the Lands intended to be reserved to the use of His Majesty for the purposes of defence.

Fifty-two Acres of the said Lands adjoining to the Villa, directed to be divided into Lots, and put up to public Sale within twenty Days of the Publication of this Act.

Trustees empowered to put up to public Sale the Residue of the Lands, or to accept proposals for the Purchase thereof. Proposals to be reported to both Houses the Second Day of the ensuing Session, by the Trustees; and they are empowered to per-

And be it further enacted, That from and immediately after the passing of this Act, and the Publication thereof, the Trustees and their Heirs as aforesaid, herein-before mentioned, shall be deemed and adjudged, by and with the consent of the said *William Lucas*, and other the parties interested in the said Lands, Messuages, Tenements, Hereditaments, and Premises, so hereby intended to be purchased, as herein-before mentioned, and they are hereby declared to be and stand seized to the use of the said *William Lucas*, his Executors, Administrators, or Assigns, and others the Parties interested, their Executors, Administrators, or Assigns, in the several and respective proportions of their respective Interests, as and by way of Security, as herein-before mentioned, for the due and faithful payment of the Purchase Money above mentioned; and also to this further use, to permit and suffer His Majesty's Governor or Commander-in-Chief, and the Officers of His Majesty's Navy, Ordnance, or Engineers, or other Officers acting under his Authority, to occupy, possess, and enjoy such portion or so much of the said hereby purchased Lands, as by both the Houses of the Legislature of this Colony, and the Trustees above named, acting under their Authority and Resolutions, shall or may be deemed requisite and necessary to erect Fortifications or other Public Buildings upon, for the Naval or Military defence of this Island, or to be employed for the public defence and safety of the Colony: Provided always, That in case the said Fortifications or Buildings so erected, or to be erected hereafter, on the said portion or part of the said hereby purchased Lands, shall be neglected or discontinued, or the same held and esteemed by His Majesty's Governor or Commander-in-Chief, or the Officers of His Majesty's Navy, Ordnance, or Engineers, improper, useless, or unnecessary to be maintained, and proper and fit to be abandoned, then, and in such Case, the aforesaid Use shall cease, and become null, void, and extinguished: And the said Trustees and their Heirs, as aforesaid, are, from and after such Neglect and Abandonment of the said Fortifications or Public Works, declared and adjudged hereby to be and stand seized to the use of the Public of Grenada, and to and for such other use and uses as shall be declared by the Resolutions of both the Houses of the Legislature of this Colony.

And, to prevent all doubts as to the Lands intended to be reserved to the use of His Majesty, his Heirs and Successors, for the purposes of defence as aforesaid, all such Lands as are now actually used and employed for the purposes aforesaid, and upon which Fortifications are commenced and begun to be erected, and upon which Forts or Batteries have been erected, shall be, and are hereby declared to be within the preceding Clause, and shall remain, and be in, and continue to the use and occupation of His Majesty's Governor or Commander-in-Chief, and the Officers of His Majesty's Navy, Ordnance, or Engineers, or other Officers acting under his Authority, subject to the Provisoes aforesaid; and as to a certain part or portion of the said Lands adjoining to and bounded by the Villa, containing about Fifty-two Acres or thereabouts, the said Trustees are hereby empowered to divide the same into Portions or Lots, of such size and quantity as the major part of the said Trustees shall think fit, and the said Lots shall be forthwith advertised, and, within Twenty Days of the Publication of this Act, be put up to public Sale, and the highest Bidder shall be declared the Purchaser; and every such Purchaser shall enter into such Security, and make such Deposits as shall be approved by the said Trustees, and declared at the Time of such Sale: And as to the Rest and Residue of the said Lands, the said Trustees are hereby empowered to put up to public Sale, or to accept and receive proposals for the Purchase in Fee thereof, in such Parcels and Proportions, and in such manner, as the major part of the said Trustees shall think fit; all which proposals shall be reported to both Houses, on the second Day of the ensuing Session, by the said Trustees; and the said Trustees are hereby empowered to permit and suffer the Commander-in-Chief to continue to possess the Capital

Message on the said hereby purchased Lands, and the Buildings adjoining and appertaining, together with the Lands usually and at present held therewith, until some other Provisions or Regulations shall be made and declared by the Resolutions of both Houses of the Legislature, as before mentioned, of and concerning the same.

And be it enacted by the Authority aforesaid, That in all Cases of a Vacancy or Vacancies in the Number of Trustees herein-before named and appointed, by Death, or Absence from the Island for Six Months, in all and every such case or cases, as often as the same shall happen, every such Vacancy shall be filled up by the appointment of the President in Council, if the Vacancy shall be by the Death or Absence of any of the Three Members of that Board; and in like manner by the Speaker in the Assembly, when such Vacancy or Vacancies shall happen by the Death or Absence, as aforesaid, of any of the Five Members of the Assembly herein-before named, or their Successors, as the Case may be.

Provided always, and be it enacted by the Authority aforesaid, That any Five of the said Trustees, One being of the Council, shall, and they are hereby declared to be a Board or Quorum; and the said Trustees, or any Five of them, as aforesaid, are hereby directed to employ a Clerk, who shall attend all their Meetings, and enter all their proceedings in a fair Minute Book, which Minute Book shall be laid before the Council and Assembly, when, and as often as the same shall be required; and the Salary of such Clerk, together with the charge of surveying and planning the said Lots of Land so to be sold as aforesaid, together with all other actual and necessary Expences attending the said Trust, shall, and the same are hereby directed to be paid by a Certificate or Order in the Nature of a Public Warrant, signed by a Board of Trustees as aforesaid, and countersigned by their Clerk, and directed to the Public Treasurer of this Island, who is hereby directed and required to pay the same out of the first Monies arising from the Sale of the said Lots, or the first unappropriated Monies in the said Office.

And be it further enacted, That this Act shall be deemed and taken to be a Public Act; and shall be judicially taken Notice of as such, by all Judges, Justices, and all other Persons whatsoever, without specially pleading the same.

mit the Commander-in-Chief to continue to possess the Capital Message and Buildings, and the Lands at present held therewith.

Clause VI.
Vacancies in the Number of Trustees to be filled up by the President of the Council, and the Speaker of the Assembly.

Clause VII.
Any Five of the Trustees, One being of the Council, declared a board or quorum. Trustees to employ a Clerk, and to lay the Minutes of their proceedings before the Council and Assembly as often as required.

Salary of the Clerk and all other Expences, to be paid, by a Certificate of a Board of Trustees, directed to the Treasurer of this Island, who is to pay the same out of the first Monies arising from the Sale of the Lots, or the first unappropriated Monies.

Clause VIII.
Declaring this to be a Public Act.

No. XIX.

An Act to amend an Act, intituled, "An Act for the Preservation of the Harbour and Bay of *Saint George*; appointing Regulations to be observed by Masters of Ships, and other Vessels coming into and anchoring; for empowering the Commander-in-Chief to appoint a Harbour Master, and for fixing his Salary;" and for limiting the Boundaries of Town Lots and Wharfs from encroaching on the said Harbour. [Oct. 21, 1785.]

Vide Actr, Nos. 9.
22.
39.
40.
69.
98.

WHEREAS, the Provisions of the said recited Act for preserving the depth of Water in the Carenage or Harbour of *Saint George*, have been found insufficient, from the want of a Law to prevent and restrain the practice of running out private Wharfs and Buildings into the same, by which means that valuable Harbour, so important to the Trade of this Colony, might, in process of Time, be reduced in its extent and depth of Water: For remedy whereof, be it enacted by his Honor the Commander-in-Chief of these Your Majesty's Islands of *Grenada*, and such of the *Grenadines* as lie to the Southward of the Island of *Carriacou*, including that Island; the Members of Your Majesty's Council, and the General Assembly of the said Islands; And it is hereby enacted by the Authority of the same, That Three Members

Preamble.

Clause I.

Any Five of the

Commissioners hereinafter appointed, within Ten Days after the Publication of the Act, to agree with a Surveyor or Surveyors to make a correct plan of the Harbour, and therein carefully to mark down the various Soundings thereof.

of His Majesty's Council, and Five Members of the Assembly, herein-after named, shall be, and they are hereby appointed Commissioners for carrying this Act into Effect; and the said Commissioners, or any Five of them, One being of the Council, shall, and they are hereby impowered and directed, within Thirty Days after the publication of this Act, to treat and agree with any qualified Surveyor or Surveyors of this Colony, to make a correct Survey and Plan of the Carenage or Harbour of *St. George*, from the Entrance thereof at the narrowest pass between the *Fort Point* and *Monckton's Redoubt*; in which Plan shall be correctly and carefully marked, the various Soundings within the said Harbour at High Water of a common Tide.

Clause II.
Buttings and Boundings of the Harbour, how to be described upon the plan.
Vide Acts, Nos. 69 & 98.

Boundaries of the Harbour to be ascertained by driving down Piles or Posts at the different Angles thereof.

And be it enacted by the Authority aforesaid, That the Survey and Plan herein-before mentioned, shall be butted and bounded on the *Saint George's* side by a line to be drawn and staked down by the said sworn Surveyor or Surveyors, in the presence and under the direction of the said Commissioners, or any Five of them, One being of the Council, in the following manner: viz., Beginning at a Stake or Post which shall be placed in the said Harbour, near to, and at a convenient depth of Water from the projecting Point Rock at the landing near the Fort Hospital, and running from thence by straight lines in various directions, along to the Eastward, round the Head of the Harbour, towards *Montserrat*, and from thence tending Southerly to a Stake or Post that shall be placed at a convenient depth of Water nearest the landing at the Angle or Corner called *Paterson's Point*; and the various Courses and distances of the said Boundary line shall be, and they are hereby directed to be marked and distinguished by the said Surveyor or Surveyors, by driving a strong Pile or Post at every Angle which terminates and connects the said straight Lines respectively, numbering the said Boundary Posts, from the first beginning post near the *Hospital Point*, to the last post at or near *Paterson's Point*.

Clause III.

Form of the Oath to be administered to the Commissioners and Surveyors.

And, to the end that the said Boundary Line on the Town side of the Harbour may be drawn in the most useful, convenient, and impartial manner, for every good and public purpose, and as little to the prejudice of Individuals as may be; Be it enacted by the Authority aforesaid, That each and every of the Commissioners and Surveyors acting under the Authority of this Act shall take the following Oath before the Captain-General or Governor for the time being.

"I A. B. do solemnly and sincerely swear, That I will, to the best of my Skill and Knowledge faithfully execute and fulfil the Office and Duty of a Commissioner, (or Surveyor, as the case may be), of the Harbour of Saint George, according to the true Intent and Meaning of an Act, intituled, "An Act to amend an Act, intituled, An Act for the preservation of the Harbour and Bay of Saint George; appointing Regulations to be observed by Masters of Ships and other Vessels coming into and anchoring; for empowering the Commander-in-Chief to appoint a Harbour Master, and for fixing his Salary; and for limiting the Boundaries of Town Lots and Wharfs from encroaching on the said Harbour," without Fear, Favour, or Partiality.—*So help me God.*"

Clause IV.
Surveyors to be contracted with within Thirty days, and to complete their Plan within Six Months from the Publication of the Act.

The Plan when completed, and approved of by the Legislature, to be

And be it enacted, by the Authority aforesaid, That the Surveyor or Surveyors so to be appointed and contracted with, within Thirty Days after the publication of this Act, as aforesaid, shall, and they are hereby required to complete the said Survey and Plan of the Harbour within Six Months after the publication of this Act, and shall deliver the said Plan to the said Commissioners, or any Five of them, One being of the Council, who are hereby required to examine and certify the same to be correct: and being so certified, they shall lay the same before the Council and Assembly, at their next Meeting, for their approbation thereof; and the said Plan, if so approved, shall be lodged in the Register's Office of this Island, for the Inspection of all whom it may concern; and, on the said Plan being so certified, approved, and lodged, as aforesaid, the Surveyor or Surveyors.

who shall have executed the same, shall have and receive, from the said Commissioners so certifying the Plan, a Certificate, directed to the Treasurer of this Island, requiring him to pay, out of the First unappropriated public Monies that shall be in his Hands, to the said Surveyor or Surveyors, or their legal Representatives, the full Sum that shall have been previously contracted and agreed for with the Commissioners to be paid for executing such Survey and Plan as aforesaid: Provided that such Certificate, so to be presented to the Treasurer, shall be countersigned by the Register or Deputy Register for the time being, attesting the Lodgment of the certified Plan in the Register's Office as aforesaid.

And be it enacted by the Authority aforesaid, That the said Boundary Line being ascertained, marked by Stakes, and approved by the Council and Assembly as the proper Boundary Line of the Harbour, the same shall be deemed and taken to be the Boundary of the Town of *St. George* on the Harbour side: any Law, Usage, Custom, or Grant, to the contrary in any manner or way notwithstanding.

And be it enacted by the Authority aforesaid, That from and after the publication of this Act, if any Person or Persons shall remove, or cause to be removed, or in any way wilfully injure any One or more of the Boundary Posts or Stakes herein-before mentioned, or shall presume to encroach on the Harbour, by erecting or projecting any Wharf, or other Building, beyond the said Boundary Line, he, she, or they so offending, on being convicted thereof, shall pay a fine not exceeding One Hundred Pounds current Money, recoverable in any of His Majesty's Courts of Record in this Island; One Half to be paid into the public Treasury of this Island, for the public Uses thereof, the other Half to the Harbour Master for the time being, who is hereby required and directed to sue for the same;* and if there shall be no Harbour Master, or if he shall neglect or refuse to prosecute, then it shall and may be lawful for any other Person or Persons to prosecute all such Offenders, and to receive One Moiety of the fine as aforesaid; and all such Encroachments shall be removed by or at the Expence of such Offender or Offenders respectively, within Twenty Days of such Proof and Conviction, by Process as aforesaid, under a further Penalty, not exceeding One Hundred Pounds, current Money, at the Discretion of the Commissioners, to be sued for, recovered, and applied, as herein-before directed; and if such Encroachment is not removed within Ten Days after the expiration of the Twenty Days first limited, it shall and may be lawful for the Harbour Master, and for the Commissioners for the Harbour for the time being, and they and every of them are hereby required and strictly enjoined to remove, or cause to be removed, all such Encroachments so remaining as aforesaid at the public Expence; and all Materials composing such Encroachments, when thus removed, are hereby declared to be forfeited to the Public, in Diminution of, or towards defraying such Expence; and the Harbour Master, Commissioner or Commissioners are hereby empowered and directed to sell such forfeited Materials at public Vendue within Three Days of such removal, and shall pay over the surplus of the nett Proceeds, if any, after deducting the charges of the Sale, and the previous expence of Removal, as aforesaid, to the Treasurer of this Island, for the public Uses of the same. Provided always, That if any Person or Persons shall make fast any Boat or other Vessel to any of the said Boundary Posts, or if any of the said Boundary Posts shall be carelessly thrown down, injured, or removed, by any Person or Persons, every such Person, on Conviction before any of His Majesty's Justices of the Peace, shall either pay a Fine, at the Discretion of the Justice, according to the Nature of the Offence, not exceeding Three Pounds Six Shillings; or, if he shall refuse, or be unable to pay the Fine imposed, then the Offender shall suffer Imprisonment in the Common Gaol for a space not exceeding Forty-eight Hours.

lodged in the Register's Office.

Clause V.
The Boundary Line when staked down and approved by the Council and Assembly, declared to be the Boundary of the Town on the Harbour side.

Clause VI.

Persons erecting or projecting Wharfs, or other Buildings, beyond the Limits described, punishable by Fine, not exceeding £100.

The Harbour-Master to prosecute Offenders, and to receive One Half of the Fines which shall be imposed upon them.

Encroachments to be removed at the public expence, and the Materials of which they are composed declared to be forfeited.

Penalty on Persons throwing down, injuring, or removing the Boundary Posts

* See No. 9, Clause VI.

Clause VII.

Proprietors of Grants within the limits described, to run out good and sufficient Wharfs to the extent of their respective limits within seven Years from the publication of the Act.

Persons neglecting to pile in any vacant space which may remain between the fronts of their Wharfs and the Boundary line, to forfeit such space, and the Governor to regrant the same.

Proviso.

That such new Grant shall contain a Condition to pile in the said Space within two years from the date of such grant.

Proviso.

That no leave of Occupancy or Concession, or Lease of Church Lands, to have the force and effect of previous Grants.

Proviso.

That nothing in the Act shall compel the building of Wharfs within seven Years, further than the Villa Line.

Clause VIII.

In all Cases where the Lands already granted do not extend to the Boundary Line, the Proprietors of such Lands to be preferably intitled to apply for Grants of such spaces.

Clause IX.

A space of Twenty Feet to be left on the front of every Wharf, in order to form a free Communication round the Harbour on the side towards the Town, under the Penalty of £100, and the Encroachments to be removed.

And, in order to obtain some degree of public Uniformity and Convenience, without any material Injury to the rights of Individuals, Be it enacted by the Authority aforesaid, That all, present and future possessors of Lands by Grant, Concession or other Title, made previous to the publication of this Act, within the limits herein-before described, and extending to the same, shall, and they and every of them are hereby required to erect and extend to the said Boundary Line a good and sufficient Wharf, well piled in front, and to be filled up and completed within Seven Years from and after the publication of this Act, under the penalty of forfeiting all Claim or Title to such space as may so remain not piled and filled in as aforesaid; and it shall and may be lawful, in all such Cases, for the Governor-in-Chief, or other Person commanding in this Colony for the time being, to regrant such vacant spaces in the like manner as if no previous grant or concession of the same had been made. Provided always, That in every such new grant, there shall be a short recital of the former grant or concession thus forfeited, and a condition to pile in, fill up, and complete the Wharf to the Boundary Line as aforesaid, within Two Years after the Date of such new Grant, under pain of forfeiting the same. Provided also, That no leave of Occupancy of Lands heretofore reserved or intended to be reserved for public Uses, nor any Lease or other Concession thereof, or of any other Lands from any Rector or Curate of Church Lands, or other Person or Persons, under the Plea or Pretence of Manor Rights, shall be deemed or taken to be any way ratified and confirmed, or the Operation and Effect thereof in any wise altered by this Act. Provided also, That nothing herein contained shall be construed to compel the building of Wharfs within Seven Years as aforesaid, further than the Line of the Villa Lands nearest the Town.

And whereas it is reasonable that the Proprietors of the Lots, next adjoining to and not extending at present so far as the said Boundary Line, should have the privilege of electing whether they will extend their Lots to such Boundary Line, or permit any other Person to obtain a Grant of the space remaining in front between such their Lots and the new Boundary Line; Be it therefore enacted by the Authority aforesaid, That in all cases of such spaces, either actually ungranted, or supposed to be so, the Proprietor of the next adjoining Grant towards the Shore shall, for the space of Eighteen Months next after the publication of this Act, but no longer, be preferably intitled to apply for a Grant to extend his, her, or their present Front towards the Harbour as far as the Boundary Line herein-before described, with Condition, in every such new Grant, to pile and fill up such new Front to the Boundary Line within Seven Years after the Date of such Grant as aforesaid.

And whereas the public Use of a free Communication round the Town side of the Harbour, along the proposed Boundary Line thereof, will be found very convenient and useful, with little or no Injury to private Rights; and whereas this Communication hath heretofore been frequently obstructed by building Houses on, or running out Fences to the front of private Wharfs; Be it enacted, by the Authority aforesaid, That, from and after the publication of this Act, it shall be a Condition in all new Grants, bounded on the Line aforesaid, that a space, not less than Twenty Feet, shall be left free and open between the front of every Wharf, and any House, Yard, or other Inclosure, to be erected thereon: and, in like Manner, all Persons now possessing Grants which extend to the Boundary Line herein-before described, shall not, from and after the publication of this Act, erect or build, or cause to be erected or built, any House, Yard, or other enclosure, within Twenty Feet of the said Boundary Line, under the penalty of One Hundred Pounds, current Money, for every such Offence; to be recovered and applied as herein-before directed, in case of Encroachments beyond the said Line, and with the same power of removing all such future Encroachments

of private Buildings on the said space of Twenty Feet. Provided always, Houses or Stores nevertheless, That nothing herein contained shall be construed to extend already built, excepted; but if suffered to fall to decay, not to be rebuilt. or apply to any Dwelling-House, Store, or Magazine, already erected, which may be found within Twenty Feet of the said Boundary Line; but if, at any time hereafter, such present Building or Buildings shall be suffered to decay or fall down, the same shall not be again rebuilt nearer than Twenty Feet to the Boundary Line herein-before described, under the same Penalty, and subject to removal as aforesaid. Provided also, That nothing in this Act shall be construed so as to prevent any Proprietor of any Wharf on the Boundary Line of the Harbour from erecting, on the Front of the same, any Crane or other Machine for hoisting heavy Goods, with a Roof to the same to preserve it from Decay, so as such Crane or other Machine do not wholly obstruct such Communication: And provided also, That the public Communication, or free Passage round the Harbour, herein-before mentioned, shall not be deemed or taken to preclude or prevent the Proprietor or Occupant of every private Wharf respectively from exercising every other Right of private Property and exclusive Wharfage, so as the public Passage herein-before described be not shut up, obstructed, or rendered impassable, by the landing and continuance of Lumber or other Merchandise longer than eight days at any one Time, under the Penalty of Twenty Pounds for every such Offence, to be levied and applied as herein-before directed, and the same to be repeated at the end of every Eight Days, till the same is removed.

And whereas the said Harbour or Carenage of *Saint George* hath been much injured, in consequence of the Ships or other Vessels which were suffered to be sunk therein during the *French* Government, and there is no provision in the herein-before recited Harbour Act for the removal of such Wrecks at the public Expence; for remedy whereof, Be it enacted, by the Authority aforesaid, That the Eight Commissioners herein-after named, or any Five of them, One being of the Council, shall be, and they are hereby required and empowered, as soon after the publication of this Act as may be, to employ and contract with any Person or Persons willing to undertake the raising and removing all such Wrecks of Vessels as now remain within the said Harbour, who shall give approved Security to perform the same in the shortest space of time, and at the least Expence; and such undertaker, having finished and completed such undertaking, in the manner and within the time limited in the Contract so previously to be made and entered into with the Commissioners as aforesaid, shall be intitled to receive from the said Commissioners, or any Five of them, as aforesaid, an Order directed to the public Treasurer, in the nature of a Warrant, directing him to pay to the said undertaker or undertakers, out of the first unappropriated Monies that shall be in his Hands, the sum contracted for in such previous Agreement as aforesaid, and the said Treasurer is hereby authorised and required to pay the same.

And be it enacted by the Authority aforesaid, That the Honorable *James Campbell*, *William Niccolls*, and *Samuel Sandbach*, Members of His Majesty's Council; together with *Thomas Townsend*, *Edmund Thornton*, *James Hay*, *John Connor*, *Joseph Dacres*, *Appleby Gilpin*, and *Matthew Munro*, Esquires, of the Assembly, be, and they are hereby appointed Commissioners for carrying this Act into Execution. Provided always, That in Case of any Vacancy or Vacancies in the Commission, by the Death, or Absence from this Colony for Six Months, of any of the Commissioners herein-before named and appointed, or by his or their being no longer of the Council or Assembly respectively, such Vacancy or Vacancies, as often as the same shall happen, shall be filled up by new Nominations of the Council and Assembly respectively; and every such new Commissioner hereafter to be appointed as aforesaid, shall take the Oath of Qualification herein-before mentioned.

And be it enacted by the Authority aforesaid, That nothing in this Act

Proprietors not to be prevented from building Cranes, provided they do not obstruct the Public Passage.

The Public Passage not to be obstructed by Lumber, or other Merchandise, longer than Eight Days at any one time, under a Penalty of £20 for each offence.

Clause X.

Any Five of the Commissioners empowered to contract and agree with Persons willing to undertake the raising of the Hulks and Wrecks which are sunk in the Harbour.

Commissioners empowered to grant a Warrant to the Treasurer for the Payment of any Sums so contracted for.

Clause XI.

Commissioners appointed for carrying this Act into Execution.

Vacancies to be filled up by the Council and Assembly respectively.

Clause XII.

Nothing in the Act to be construed to limit or restrict the Power of the Crown. contained shall be construed to restrain or call in Question the undoubted Rights of the Crown to grant Lands on such Terms, Conditions, and Limitations, as shall to its Wisdom seem fit and proper.

Clause XIII. Declaring the Act to be a Public Act. And be it enacted by the Authority aforesaid, That this Act shall be deemed and taken to be a Public Act; and all Judges, Justices, and others, are required to take Notice of the same as such,

No. XX.

Act No. 18. An Act to amend and explain an Act, intituled, "An Act to confirm a Contract made with the Honorable *William Lucas* for his *Mount George* Plantation; to vest the same in Trustees for certain Purposes; and to provide for the Payment of Twenty Thousand Pounds, being the Purchase Money; and for other Purposes relating thereto;" to extend the Time limited for the Sale of certain Parts of the said Plantation; to enlarge the Powers of the Trustees; and to extend the Boundary of the Town of *Saint George* Eastward, to include so much of the said Lands adjoining the same as may be sold in small building Lots. [October 21, 1785.]

Preamble. WHEREAS it has been found impracticable to effect, within the Time limited, a beneficial Sale for the Public, of that part of the *Mount George* Plantation directed by the said Act to be sold in convenient Lots, within Twenty Days after the Publication thereof; and the power given to the Trustees, named and appointed in and by the said Act, does not authorise them to insert the usual and necessary Reservations and Conditions in the Conveyances to be granted to the respective Purchasers; For Remedy whereof, We, Your Majesty's most dutiful, loyal, and obedient Subjects, His Honor the Commander-in-Chief of these Your Majesty's Islands of *Grenada*, and such of the *Grenadines* as lie to the Southward of the Island of *Carriacou*, including that Island; the honorable the Members of Your Majesty's Council, and the general Assembly of the said Islands, pray your most excellent Majesty that it may be enacted; And be it, and it is hereby enacted and ordained by the authority of the same, That, from and after the Publication of this Act, the Trustees, named and appointed in and by the said recited Act, and their Successors, shall, and they are hereby declared to have full Power and Authority to fix such Time or Times for the Sale of such Part or Parcels of the public Lands within their Trust, as they now are, or hereafter may be, authorised and directed to sell, and to make and prescribe such Terms and Conditions of Sale as to them shall seem fit and proper to promote and execute the Purposes of their Trust, and to insert such Terms and Reservations in their Conveyances, as to them shall seem necessary and proper to secure the Payment of the Purchase Money; or for other public Purposes; any thing in the said herein-before recited Act contained to the contrary hereof in anywise notwithstanding.

Clause I. Trustees empowered to fix such time or times for the Sale of such Part or Parcels of the Public Lands within their trust, as they are authorised to sell, and to make such Terms and Conditions of Sale as they shall think fit.

Preamble. And whereas the present Boundary of the Town of *Saint George*, on the East Side of *Montserrat*, stands limited to the *Ravine Jourdain*, which was the Boundary of the *Mount George* Plantation towards the Town: and whereas it is deemed expedient to sell so much of the said Plantation, now the Property of the Public, in small and convenient Building Lots, to be added to the said Town of *Saint George*, as is contiguous to the same, and conveniently situated for that Purpose; that is to say, So much thereof as lies between the said *Ravine Jourdain* on the West Side; the Hospital Lands, and the great Road leading from the Town towards the Government House, on the North; the First Hedge leading down from the said public

Road to the Villa Gate, on the East Side; and the Villa Line, and the Carenage or Harbour of *Saint George* to the Mouth of the *Ravine Jourdain*, on the South Side: containing, by Estimation, about Eight Acres, be the same more or less: and whereas it is fit and proper that all Purchasers of Lots within that Space should be subject to the same Laws and Regulations of Police as other Proprietors of Lots within the said Town are or may be subject to; Be it, and it is hereby enacted and ordained by the Authority aforesaid, That, from and after the Publication of this Act, all that Piece or Parcel of Land, butting and bounding as herein-before mentioned, and intended to be sold in convenient Building Lots, is hereby declared shall be deemed and taken to be a Part of, and within the said Town of *Saint George*; the Eastern Line or Limits whereof shall begin at that Part of the Carenage or Harbour of *Saint George* which is nearest to the North-west Corner of the Villa Land, and shall run from thence along the Villa Line North-easterly to the First Hedge on the Ridge near the Villa Gate, thence Northerly along the said Hedge to the High Road, and thence in a direct Line to the nearest Ridge of the Hospital Land, being the former Eastern Boundary of the Town: And the said Trustees are hereby authorised and directed to give Names to such new Streets, or Lanes, as they shall judge fit and necessary to direct the Colony Surveyor to lay out in the said Addition to the Town of *Saint George*.

Clause II.

Lands intended to be sold in convenient Building Lots, declared to be within the Limits of the Town of *St. George*.

Boundaries of the Land described.

And be it, and it is hereby enacted and ordained by the Authority aforesaid, That, from and after the Publication of this Act, all Dwelling-Houses, Out-Houses, Stores, Offices, or other Buildings whatsoever, that shall be erected on any part of the Lands hereby added to and made part of the Town of *Saint George*, or on any adjacent Lands within One Hundred Feet of the Boundaries of the said Town as extended by this Act, shall be of such Materials, under the like Regulations, and subject to the same Penalties, as are prescribed in and by the Act for regulating the re-building of the Town of *Saint George*, or as may be prescribed in any future Act for similar Purposes.

Clause III.

All Buildings on any of the Lands added to the Town of *Saint George*, or on any Lands within 100 Feet of the Boundaries of the Town to be under the Regulations prescribed by the Act for regulating the Rebuilding of the Town of *St. George*.

And whereas that part of the *Mount George* Plantation directed to be first sold, comprehends the principal Springs or Source of a Water-course leading down to the Sea, through that part of the public Lands allotted for and now in the Occupancy of His Majesty's Corps of Royal Artillery: And whereas the Commanding Officer of the said Corps has represented, that, for the purpose of draining the lower Grounds in the said Space, and for leading a Canal or Pipe of pure Water from the said Source, it will be necessary to raise the mason Work forming the Dam or Head of Water at the upper Line of the Artillery Ground, which renders it expedient and proper to reserve unsold the Land that may probably be covered by the said Dam, when elevated full Six Feet higher than it now is, and to add about One Hundred Feet more of the public Lands to the Artillery Ground at the West End of the said Wall of Mason Work, which now forms One of their boundaries: Be it therefore enacted and ordained by the Authority aforesaid, That the Trustees named and appointed in and by the herein-before recited Act, and their Successors, be, and they are hereby authorised and directed to reserve, unsold, so much of the said public Lands as may be covered by the said Dam or Head of Water, and a convenient Space round the same for public Access, either for taking up Water, or for watering Horses, Mules, or other Cattle; and the said Trustees are hereby impowered to insert such Terms and Conditions in their Sales of the adjacent Lots of public Lands as they shall deem requisite and necessary for preserving to the Public the use of the said Water: Provided always, That such public Access to, and use of the Water above the Wall forming the Dam, shall not be construed to extend to any Abuse or Defilement of the Water, to the annoyance of the Inhabitants of the Artillery Ground below: And the said Trustees shall and may permit and authorise the Officer commanding the said Corps of Royal Artillery, to inclose so much of the piece or parcel of Land, first directed by

Preamble.

Clause IV.

Trustees empowered to reserve unsold so much of the public Lands as may be covered by the Dam or Head of Water at the upper line of the Artillery Ground, and a convenient space round the same for public Access; and also to insert such Terms and Conditions in their Sales of the adjacent Lots as they shall deem requisite. Proviso. The public Access to, and use of the Water above the Wall forming the Dam, not to be construed to extend to

any Abuse or De-
flement of the Wa-
ter.

Trustees may au-
thorise the Com-
manding Officer of
Artillery to inclose
so much of the Land
as is comprehended
in the Angle formed
by their Boundary
Line of Mason
Work.

the said recited Act to be sold, as is comprehended in the Angle formed by their Boundary Line of Mason Work or Dam herein-before mentioned, extended One Hundred Feet, to a Stake or Post there fixed to mark the Corner of the Artillery Ground towards the North, and by a direct Line to be drawn from the said Stake to the nearest Corner of the Villa Land; and to limit the adjoining Lands now for Sale to the Line thus described; any Thing contained in the said, or in any other Act, to the contrary hereof in anywise notwithstanding.

No. XXI.

An Act to amend and explain an Act, intituled, "An Act for regulating the re-building of the Town of *Saint George*, in the Parish of *Saint George*, in the Island of *Grenada*; for preventing the Destruction of the same by Fire; for ascertaining the Boundaries of the said Town; and making a correct Plan of the same; for rendering the said Town more safe, healthy, and convenient, by Alteration of some, and the Opening of other Streets; and for appointing Commissioners, with Powers to treat and conclude for the Purchase of any private Property that may be affected by this Act, and generally for carrying the same into Execution;" to authorize the Use of Patent Slate, Patent Tin Plates, or Patent Iron Plates, on the Roofs, Sides, and Ends of Wooden Houses; for limiting the Duration of Houses, the outside Walls or Ends whereof are composed of Wood, or covered with Shingles; and for the Purchase of certain Grants of Lands, being Part of the public Streets and Squares in the said Town of *Saint George*. [August 29, 1786.]

Preamble.

Recites Act No. 10.

WHEREAS by an Act, made and published the Third Day of *February* One Thousand Seven Hundred and Seventy-six, intituled, "An Act for regulating the re-building of the Town of *Saint George*, in the Parish of *Saint George*, in the Island of *Grenada*; for preventing the Destruction of the same by Fire; for ascertaining the Boundaries of the said Town, and making a correct Plan of the same; for rendering the said Town more safe, healthy, and convenient, by Alteration of some, and the Opening of other Streets: and for appointing Commissioners with Powers to treat and conclude for the Purchase of any private Property that may be affected by this Act, and generally for carrying the same into Execution;" and since revived by an Act, made and published the Sixteenth Day of *March*, One Thousand Seven Hundred and Eighty-four, intituled, "An Act for removing Doubts with respect to the Laws which are to be deemed in force in these Islands upon their Restitution to the Crown of *Great Britain*," certain Regulations and Provisions were enacted for the purpose of guarding the Inhabitants of the Town of *Saint George*, and their Possessions, against Fire, and for other purposes therein contained: And whereas the said Regulations and Provisions have not been found effectual, nor sufficiently explicit to warn the Inhabitants against infringing and violating the same: And whereas several Persons have been prosecuted and convicted for Offences against the said Acts, and a great number of Offenders are under Orders of the Commissioners to be hereafter prosecuted; And whereas the frequency of such Violations of a Law, tending to the public safety, and conducive to the preservation of public Property, has alarmed the Minds of the public, and calls for an Act of the

Legislature that may, in the clearest Language, and in the most effectual Manner, prevent a repetition of such Offences, by accurately describing the Offence, by authorizing an immediate removal thereof, and by inflicting severe and immediate Penalties on any future Offenders: We, therefore, Your Majesty's most dutiful and loyal Subjects, the Governor-in-Chief in and over the Island of *Grenada*, and such of the Islands commonly called the *Grenadines*, to the Southward of the Island of *Carriacou*, including that Island, and lying between the same and *Grenada* in *America*, the Honorable the Members of Your Majesty's Council, and the Representatives of the People of the said Islands, in General Assembly convened, pray Your most excellent Majesty, that it may be enacted and ordained;

And be it, and it is hereby enacted and ordained by the Authority aforesaid, That such and so many of the Clauses in the said recited Act, as contain regulations and restrictions for which other or different Provisions are herein-after made, shall be, from and after the Publication hereof, and the same are hereby repealed.

Clause I.
Repeals such of the Clauses of the former Act as contain Regulations and Restrictions which are otherwise provided for by the present Act.

And whereas, it is absolutely requisite to take every precaution to prevent Buildings of any denomination from being erected, and reparations of Buildings from being made in future with Materials of a combustible Nature, or which may be likely to communicate or extend a Fire, in case such a dreadful Calamity should happen at any time hereafter: And whereas it has been found by Experience and upon careful examination, that the composition called *Patent Slate*, *Patent Tin Plates*, and *Patent Iron Plates*, are not of a combustible Nature; and that the said Patent Slate, the Patent Tin Plates, and Patent Irons, common Stone Slate, and Tiles, are the only safe Materials for the coverings of the Roofs of Buildings, and that Stone and Mortar, Brick and Mortar, or Wood completely covered with common or Patent Slates, with Tiles, or with Patent Tin or Patent Iron Plates, are the only Materials for the outside Walls of Buildings, that ought to be used, or permitted to be used, within the Limits of the Town of *Saint George*, or within One Hundred Feet beyond the said Limits.

Be it therefore enacted, by the Authority aforesaid, That every dwelling-house, Out-house, Store, Office, or other Building whatsoever (except Kitchens and Negroe Houses), which shall be wholly or in part erected, built, or repaired, within the Limits of the Town of *Saint George*, or within One Hundred Feet beyond the same, at any Time after the Publication of this Act, shall be so erected, built, or repaired, with the following Materials, and no other; that is to say, The Roofs thereof shall be covered with Stone Slate or Patent Slate, with Tiles, with Patent Tin Plates, or with Patent Iron Plates; and the outside and party Walls shall consist of Stone and Mortar, or of Brick and Mortar; or if any part of the outside be of Wood, the same shall, within Two Months after the making thereof, be well and completely covered with some or other of the Materials prescribed for Roofs as aforesaid; and every Kitchen or Negroe-House, which shall be erected, built, or repaired, within the aforesaid Limits, shall have its Roof covered with some or other of the Materials prescribed for the Roofs of Dwelling-houses; but the sides and ends of every such Kitchen or Negroe House shall consist only of Stone and Mortar, or of Brick and Mortar; Provided always, That any Building, erected in the Manner usually called Bricknogging, be deemed and allowed to be a Building of Brick and Mortar, made conformable to this Act, if either the whole outside Surface thereof be made of Brick and Mortar of a thickness equal to the breadth of one Brick, or if the Timbers of such Bricknogging Building be completely covered with some or other of the Materials herein-before directed to be used for the covering of Roofs; and any Person or Persons who shall erect, build, or repair, or cause to be erected, built, or repaired, any Dwelling-house, Out-house, Store, Office, or any other Building whatsoever, within the Limits of the Town of *Saint George*, or within One Hundred Feet beyond the same, with any Materials either in the Roofs, or Outside,

Clause II.
Describes the Nature and Quality of the Materials of which Houses within the Limits of the Town shall hereafter be erected or repaired.

The sides and ends of Kitchens and Negroe houses to be built wholly of Brick or Stone.

Buildings commonly called Bricknogging, to consist of One Brick in thickness on the outside surface.

Persons erecting or repairing Buildings with Materials other than those prescribed by the Act, liable to incur a penalty not ex-

ceeding £100, but not less than £20, and to have such Buildings pulled down.

or Party Walls, other than such as herein-before respectively prescribed, shall forfeit and pay, for every such Offence, any Sum not more than One Hundred Pounds Currency, nor less than Twenty Pounds Currency, as the Commissioners herein-after appointed, or any Five of them at a Board assembled, shall judge to be most proper; and the said Commissioners, or any Five of them at a Board assembled, are hereby directed and authorised to pull down, prostrate, and level to the ground, every Dwelling-house, Out-house, Store, Office, Kitchen, Negroe-house, or other Building whatsoever, within the aforesaid limits, which shall, at any Time after the Publication of this Act, be erected, built, or repaired, with any other Materials or in any other Manner than such as are and is herein-before mentioned and appointed; so as no such Building be pulled down by the Commissioners until the Expiration of one Month after the Builder or Repairer thereof shall have been convicted by a Board of the same Commissioners and fined for the same; nor unless such Building shall then continue to be an Erection or Reparation contrary to this Act.

And to prevent all Doubts and Misunderstandings, which might arise between the Commissioners appointed for carrying this Act into Execution, and any Person or Persons erecting or repairing any Building whatsoever, within the Limits aforesaid, touching the Time to be allowed for the covering of Wooden Houses and Frames:

Clause III.

Wooden Frames of Houses to be covered with some or other of the Materials before described within six Months after their erection, or within Two Months after they shall have been boarded in, otherwise they shall be deemed Wooden Buildings, the Proprietors subject to a Fine, and the Buildings to be pulled down.

Be it enacted by the Authority aforesaid, That every Wooden Frame or House, which shall hereafter be erected or raised within the Limits aforesaid, and which shall not, within Six Months after being so erected or raised, or within Two Months after being wholly or in part inclosed or covered with Wood, have every part of such Wooden Outside duly covered with some or other of the Materials herein-before prescribed for covering of Wood, shall be deemed and taken to be a Wooden House, erected contrary to this Act, and liable to be pulled down as aforesaid, and the Person erecting or raising the same shall be subject to the Penalties herein-before imposed on Persons erecting Wooden Houses; and in like manner every House now standing within the same Limits, which shall hereafter be repaired with any Materials of Wood on the Outside, and which shall not, within the like space of Two Months, have every Part of such repaired Outside duly covered with the Materials by this Act prescribed for covering of Wood, shall be deemed and taken to be a Wooden House repaired contrary to this Act, and liable to be pulled down as such, and the Person repairing the same shall be subject to the Penalties herein-before imposed: And every Wooden Frame which has been wholly or in part erected within Nine Months now last past, and which shall not be duly inclosed and covered as by this Act is directed, within Six Months after the Publication thereof, and every Wooden House so erected within the same period, and which shall not be so duly covered within Two Months after the Publication of this Act, shall in like manner be deemed and taken to be a Wooden House erected and suffered to remain contrary to this Act, and liable to be pulled down as aforesaid; and the Proprietor thereof suffering the same so to remain shall be subject to the Penalties herein-before imposed on Persons erecting Wooden Houses: And the said Commissioners, or any Five of them, are hereby empowered and directed to issue a Warrant under their Hands and Seals to the Provost-Marshall, or his Lawful Deputy, authorising and requiring him to pull down, prostrate, and level with the ground, any Building which shall have been adjudged by the said Commissioners, or any Five of them, at a Board assembled, to be liable to be so pulled down by virtue of this Act: and the Provost-Marshall or his Lawful Deputy, is hereby enjoined duly to execute and obey every such Warrant under a Penalty of Five Hundred Pounds Currency, to be recovered by Action of Debt in any Court of Record in the Island of *Grenada*, in the Names of any Three or more of the said Commissioners who signed such Warrant respectively.

Any Five of the Commissioners, by Warrant under their Hands and Seals, to direct and empower the Provost-Marshall to pull down such Wooden Buildings.

Penalty of £500 upon the Provost-Marshall refusing to obey such Warrant.

And for the more effectually preventing the Communication of Fire :
 Be it enacted by the Authority aforesaid, That all outside Galleries, Stair Cases, Cornices, Ornaments, or Spouts, affixed or attached to any Building within the Limits of the Town of *Saint George*, or within One Hundred Feet beyond the same, shall be made of Brick and Mortar, or Stone and Mortar, or Plaster, or Patent Slate, Patent Tin Plates, Tiles, or common Slate, Iron, or Lead ; and that any Person or Persons affixing or attaching any outside Gallery, Stair Case, Cornice, Ornament, or Spout, to any Building within the Limits of the said Town of *Saint George*, or within One Hundred Feet beyond the same, made and composed of other Materials than as hereby directed, shall forfeit any Sum not exceeding Fifty Pounds Current Money, nor less than Twenty Pounds Currency, as the said Commissioners hereafter appointed, or any Five of them shall judge most proper ; and the said Commissioners, or any Five of them at a Board assembled, are hereby directed and authorised to pull down and destroy any such outside Gallery, Stair Case, Cornice, Ornament, or Spout, immediately upon the Conviction of the Offender therein, in the Manner and in such Case hereinbefore provided.

Clause IV.
 All outside Galleries, Stair Cases, Cornices, Ornaments, and Spouts, to be constructed of the Materials prescribed by the Act ; under a Penalty not to exceed £50, or be under £20.

Commissioners authorised to pull down and destroy such Galleries, Stair Cases, Cornices, Ornaments, or Spouts.

And whereas divers Persons have advanced the Foundations of their Houses or other Buildings upon the Streets, Lanes, Squares, or public Places, in the said Town of *Saint George*, whereby great inconvenience arises or may arise to the Inhabitants thereof : And whereas such and similar encroachments and projecting Galleries tend to render the Streets incummodious and unhealthy, by obstructing the Current of the Air, and to render it more difficult to extinguish any Fire that may happen :

Be it therefore enacted by the Authority aforesaid, that from and after the Publication of this Act, all and every Person or Persons who shall build or cause to be built, any House, Out-House, Store, or other Building of any Description whatsoever, or erect or build, or cause to be erected or built, any projecting Gallery or Stair Case within the Limits of the Town of *Saint George*, or within One Hundred Feet beyond the Limits of the same, the Foundations of which Buildings shall be found to encroach, or the Gallery or Stair Case be found to project upon or in any of the Streets, Lanes, Squares, or other public places, within the Town of *Saint George*, or Limits as aforesaid, shall forfeit for each and every such Offence, any Sum not more than One Hundred Pounds Currency, nor less than Twenty Pounds Currency, as the Commissioners herein-after appointed, or any Five of them, at a Board assembled, shall judge most proper ; and the said Commissioners are hereby authorised and directed, within One Month after the Conviction of any such Offender, to remove, pull down, prostrate, and level, any such Building or Buildings, Gallery or Galleries, or other Projections that shall be found contrary to the provisions herein made ; such removal and pulling down to be done and executed in the manner in such case herein-before provided.

Clause V.
 Persons encroaching upon any of the public Lanes, Squares, or Streets, in the Town, by erecting Houses, Stair Cases, or projecting Galleries, liable to a penalty not to exceed £100 nor be under £20 ;

and to have such Buildings pulled down within One Month after Conviction of the Offender.

And whereas the Provisions contained in the Fourth and Fifteenth Clauses of the herein-before recited and revived Act, for effectually removing all encroachments heretofore made and now subsisting on the public Streets, Lanes, and Squares, in the said Town of *Saint George*, would, if strictly carried into Execution, be attended with an unnecessary degree of severity in some instances, where the encroachment is of a nature not very inconvenient for the Public, and not to be removed but at a very great expence :

Be it enacted, by the Authority aforesaid, That it shall and may be lawful for the said Commissioners herein-after appointed, or any Five of them, to commute or compound with the Proprietor or Proprietors of all and every encroachment on the Streets, Lanes, or Squares, of the said Town, made since the Fifth Day of February, One Thousand Seven Hundred and Seventy-six, by the Erection of any useful Building (the immediate removal of which would, in their apprehension, be improper), by a

Clause VI.
 Commissioners empowered to compound with the Proprietors of Encroachments made since the 5th of February 1776, by a moderate annual Rent.

moderate annual Rent, in the nature of an Acknowledgment or Ground Rent, for such Encroachment, during the continuance of the same, not exceeding one Shilling for every Foot in Front of such Encroachment or Encroachments respectively, on any Street, Lane, or Square, to be paid on the First Day of January yearly and every year, to the Treasurer or Receiver of public Assessments for the Town of *Saint George*, for the public Uses of the said Town; and the said Commissioners, or any Five of them, at a Board assembled, are hereby empowered and directed to issue a Warrant under their Hands and Seals on every Default of Payment of the said Ground-Rent by the space of One Month or more, which Warrant shall be directed to the Provost-Marshal, or his lawful Deputy, who, by Virtue thereof, is hereby authorised and required to levy the Arrears of the said Ground-Rent, with the Costs of levy, in such Manner as he is herein-after directed to levy the penalties imposed by this Act: Provided always, That all Encroachments so permitted to continue, shall be accurately marked on the public plan of the Town herein-after mentioned: And that when any House or Houses now encroaching and permitted to continue as aforesaid shall fall to Decay, or by any Accident be destroyed or demolished, any Person or Persons rebuilding on the Site or Sites of any such Encroachments, shall confine such Rebuilding within the Limits of his, her, or their private Property, under pain of incurring all the penalties prescribed in and by this Act in case of Encroachments here-after made in the Streets of the said Town.

Mode of levying such Rents.

Encroachments to be accurately marked upon the public Plan of the Town, and when by accident or otherwise pulled down or destroyed, they shall not be rebuilt.

Clause VII.
Commissioners to employ Surveyors to make an accurate Copy of the Plan of the Town, and therein to ascertain distinctly all the additional Grants, &c. which have been made to the Town since the 5th Feb. 1778, and to examine and certify the said Plan, and to cause a copy thereof to be nailed up in the Court.

The certified copy of the Plan to be lodged in the Secretary's Office.

The Boundaries of the Town, when ascertained, to be published for the Space of One Month, in the *Grenada Gazette*, in the English and French Languages.

The Surveyors who shall have executed the said Plan, to receive from the Commissioners a Warrant directed to the Receiver of Town Assessments, requiring him to pay such Sum as they shall have previously agreed for,

And whereas the Limits of the Town of *Saint George* have, at various Times, been extended, and Doubts have arisen as to the just Boundaries thereof; Be it therefore enacted, by the Authority aforesaid, That it shall and may be lawful for the Commissioners herein-after named and appointed or any Five of them, at a Board assembled, and they are hereby authorised and enjoined to employ a sworn Surveyor or Surveyors, to draw out an accurate and correct copy of the plan of the said Town of *Saint George*, now in the possession of Mr. *Webster*, and of the Boundaries and Limits thereof; and which said Boundaries and Limits shall be, in the said plan, clearly and distinctly laid down and ascertained, and shall contain all the additional Grants, Alterations and Additions, to the said Town, that have taken place since the date of the said recited Act for rebuilding the Town of *Saint George*, and for ascertaining the Limits of the same; and the said Commissioners are hereby directed to examine and certify that the said plan is correct, and to cause a copy of the said plan, when completed and certified as aforesaid, to be nailed up or placed in some convenient and conspicuous place in the Court-house of the Town of *Saint George*, and to lodge the certified plan in the Secretary's Office of the Island of *Grenada*; and also the said Commissioners are hereby directed to cause the Boundaries and Limits of the said Town of *Saint George*, when so ascertained by the said plan, to be declared and explained in the English and French Languages, and to cause the same to be published in the *Grenada Gazette* for the space of One Month after the same shall be so ascertained and declared as aforesaid; and the said plan and copy thereof, being so certified, lodged, and published, as aforesaid, shall and is hereby declared to be the plan substituted as the true and just plan of the Town, in the room of the plan specified in the Sixth Clause of the said recited Act, for every Intent and Purpose mentioned in the said Clause; and the said Commissioners, or any Five of them, at a Board assembled, are hereby authorised and directed to grant their Certificate to the Surveyor or Surveyors who shall have executed such plan, in the nature of a warrant, directed to the Receiver of Town Assessments, requiring him to pay to the said Surveyor or Surveyors any Sum that the said Commissioners shall have previously agreed with such Surveyor or Surveyors for the same, or in case of no previous Agreement, such Sum as they may, after the same is performed, think adequate thereto; and such Receiver of Town Fines

and Assessments for the time being, is hereby authorised and directed, to pay the same out of the Fund arising from Fines and Assessments under this Act. out of the Fund arising from Fines, Assessments, &c.

And whereas Persons who have offended against the Laws at present in force for regulating the rebuilding of the Town of *Saint George*, have been duly prosecuted and convicted, and fined in large and heavy penalties, to wit, *Andrew Irwin*, *William Irwin*, and *Martin Suter*, in the Sum of Five Hundred Pounds Currency, each ; and a special Verdict was found in the Action commenced against *John Adams* in the Sum of Two Hundred Pounds : And whereas a great number of other Persons, who have in like manner offended, are under an order for prosecution : And whereas various excuses and pretences have been made to the present Commissioners in mitigation for the said offences : And whereas it is necessary at all times to enforce a due obedience to the Laws, and to punish every wilful and obstinate offender, with severity ; yet, at the same time, it is requisite so to temper Justice with Mercy, that the Intent and Provision of the Laws may be fulfilled, and punishment avoided or inflicted as humanely as may be :

Be it therefore enacted, by the Authority aforesaid, That in consideration of the various circumstances offered by the above delinquents in mitigation of the several Fines as above-mentioned, the Fines of the said *Andrew Irwin*, *William Irwin*, and *Martin Suter*, be respectively reduced, and they are hereby reduced to the Sum of Fifty Pounds respectively, the same to be levied, and the payment thereof to be enforced in such manner as if this Act had never been passed, or any reduction or mitigation of the said Fines had never been authorised : and that on payment by the said *John Adams* of the full Costs of the Action so commenced against him, the Commissioners, or the Attorney employed in the said Action, shall and may consent that Judgment be entered thereon for the Defendant. Clause VIII. The Fines formerly imposed upon *Andrew Irwin*, *William Irwin*, and *Martin Suter*, respectively reduced to £50 each. The Fine imposed upon *John Adams* remitted upon his paying the Costs of Suit.

And as to those Persons who have offended as herein-before mentioned, and who have not been prosecuted, Be it enacted, by the Authority aforesaid, That to save as much as may be, the said Delinquents and Offenders, any Addition of Law Charges to such Fines as may respectively be imposed on them, it shall and may be lawful for the Commissioners herein-after named, or any Five of them, and they are hereby empowered and authorised to issue, under their Hands and Seals, Notices or Summonses, in which shall be inserted the Fines imposed or affixed by the said Commissioners, which shall not exceed the Sum of Fifty Pounds Currency for any Offence or Offences against the said Act already committed by any one Offender, and addressed or directed to the parties offending, thereby commanding them to be and appear at the next Court of Common-Pleas, there to answer to such Charge and Proof of such offence against the said Law, for rebuilding the Town of *Saint George* ; and in case of non-appearance, at such time and place as therein-mentioned, to suffer Judgment by Default for the said Sum so ascertained in such Notice or Summons, and for which Execution shall issue in the usual manner : and in case the said party or parties, to whom such Summons as aforesaid shall be directed, shall appear, agreeable and in Obedience thereto, the Judges or Justices of the said Court of Common-Pleas are hereby directed and authorised to charge the Jury therewith, and from the Representation of the said Commissioners, or such of them who shall attend such Prosecution, and also from the Evidence as well of the said Prosecutors as of the said Defendant or Defendants, to explain the Nature of the Charge, the Defence, and the Law, appearing or arising from the Facts proved on such Examination ; and the Jury so charged shall, and they are hereby directed and authorised to assess such Fine, or to acquit the Defendant, agreeable to their consciences, and according to Evidence applicable thereto ; and the usual Expences of the Jury and Officers of the Court, are hereby directed to be paid, and Judgment and Execution on such Verdict or Assessment shall issue and obtain as in ordinary proceedings in the said Court of Common-Pleas. Clause IX. Fines to be imposed by the Commissioners not to exceed £50. Mode to be pursued for the Recovery of such Fines.

Clause X.

The Provost Marshal to proceed upon Warrants of the Commissioners, in the same manner as upon executions at Common Law.

Before the issuing of any Warrants, Notice thereof to be given to the respective Delinquents.

Process, in Case of Appeal from any Order of the Commissioners.

In Case of Default, or Verdict found for the Plaintiff, Judgment shall be entered for double the amount of the Fine inflicted, with Costs.

And be it further enacted, by the Authority aforesaid, That in all cases where the Commissioners, herein-after appointed are directed and empowered to inflict a Fine, or condemn any Offender or Offenders in a Penalty or Forfeiture of any Sum or Sums of Money, it shall and may be lawful for the said Commissioners, by Warrant under their Hands and Seals, or of any Five of them at a Board assembled, to be directed to the Provost-Marshal of the Island of *Grenada*, to order the amount of the said Fine or Penalty, and the Costs of Levy, to be levied upon the Goods and Chattels, Lands, and Tenements of the Offender, in such order and manner as in the case of a common Execution at Law. Provided always, and be it further enacted, by the Authority aforesaid, That every Order of the Commissioners by this Act appointed, either inflicting any Fine or directing any Building to be pulled down in consequence of any Offence hereafter to be committed, shall be notified to the Delinquent by a copy of such Order in Writing delivered to the said Delinquent personally, or left at his usual place of Abode; and if any such Delinquent shall not, within Thirty Days after service of the said Order, lodge a Notice in Writing with the Clerk of the said Commissioners, signifying that he thinks himself aggrieved by such Order, and is desirous of having it tried by a Jury, then it shall and may be lawful for the said Commissioners, or any Five of them at a Board assembled, to issue their Warrant for levying such Fine, in manner herein-before directed, or for pulling down such Building so adjudged to be liable to be pulled down by Virtue of this Act: but in case any Delinquent shall give Notice of Appeal to a Jury as aforesaid, the Clerk of the said Commissioners shall immediately give Notice thereof to three or more of the Commissioners who made such Order, and shall forthwith lodge with the Secretary of this Island, or his lawful Deputy, a copy of the Commissioners' said Order, and also a copy of the Delinquent's Notice of Appeal; and the Secretary or his Deputy shall, upon Receipt thereof, immediately set down the same as a Cause in which the Commissioners under this Act are Plaintiffs, and the said Delinquent is Defendant; and a Summons shall issue and be served on the Delinquent, requiring his Attendance at the next Court of Common-Pleas, to answer the Charge contained in the Commissioners' Order; which Summons shall issue and be served in the same manner as Summonses annexed to Declarations in the said Court; and Subpoenas for the attendance of Witnesses on the part of the Plaintiff or Defendant, shall and may issue as in other Causes in the said Court; and the Secretary, or his Deputy, shall set the same down in the list of Causes to be tried at the then next ensuing Court of Common-Pleas, if such Court shall be to be held at the distance of ten Days or more from the Date of such Notice of Appeal; but if the Court shall be to be held within the said Ten Days, then he shall set down the same in the List of Causes to be tried at the next subsequent Court of Common-Pleas, and in all Cases such appeal shall be tried without any Declaration or other proceedings, except the said Order and Notice of Appeal, as if the Plaintiffs and Defendant in such Cause were at Issue whether the said Delinquent is or is not guilty of the Offence charged on him by the Commissioners, and every such Appeal shall be tried by the Jury summoned and impannelled at such Court; and if on such Trial the Defendant shall be found not guilty, no further proceedings for that Offence shall be had by Virtue of the Commissioners' said Order; but if any such Delinquent shall either make Default in appearing, or shall, by the Verdict of the said Jury, be found guilty of the Offence with which he stands charged, Judgment shall and may be immediately entered for double the Fine inflicted by such Order; and if such double Fine and Costs shall not be paid within Four Days, and the Building adjudged to be pulled down shall not be either pulled down by the Delinquent himself, within such Four Days, or rendered conformable to this Act within Thirty Days, it shall and may be lawful for the Commissioners to issue their Warrant, in manner herein-before mentioned, for such double

Fine, and proceed to enforce the Payment thereof, and the pulling down such Building, or either of them, as the case shall require, as if such double Fine had been inflicted in the original order, and no such Notice of Appeal had been lodged; And, to prevent affected delays in the Trial of such Appeals, if any Notice of an Appeal shall be lodged, as herein-before directed, at such time of the year as will not admit of the same being tried at the ordinary sittings of the Court of Common Pleas, within thirty days after such Notice, it shall and may be lawful for the Commissioners, or any three of them, on receiving such Notice, to apply to the then presiding Justice of the said Court for a special Court to be held for that purpose only, and such Justice is hereby authorised and required to appoint a day for the holding of such special Court, within fifteen days after such Application: and the Secretary, or his Deputy, shall give notice of the Day of holding such Court to the other Justices thereof, and shall and may issue a Summons to the Delinquent, requiring his attendance at the said Court, as he is herein-before authorised to do during the sittings of the usual Courts; and also shall and may issue a Venire for summoning a Jury, and Subpœnas for Witnesses and the Trial of such Appeal shall and may be had in all respects, at such special Court, as such Trials are herein-before directed to be had at the usual Courts; and all Jurors and Witnesses shall be liable to the same Fines and Penalties, for non-attendance at such special Court, as they are subject and liable to for non-attendance at the ordinary sittings of the Court of Common Pleas.

The Mode of proceeding in Cases of Appeals at such Times of the Year when the same cannot be tried at the ordinary Sittings of the Court of Common Pleas.

And, for the carrying the provisions of this Act into execution, Be it enacted by the Authority aforesaid, That it shall and may be lawful to and for the Commissioners herein-after appointed, and they are hereby directed to employ a Clerk or Assistant, who shall enter regularly, in a Book for that purpose to be kept, the minutes of their proceedings, and who shall make out and write Summonses and Warrants, Letters and Notices, that shall be ordered by the said Commissioners; and the said Commissioners are hereby empowered to pay a Salary, not exceeding One Hundred Pounds, to the said Clerk or Assistant, and to defray all expences incidental to the carrying into execution the provisions of this Act, by Order or Orders, under the Hands and Seals of the said Commissioners, or any five of them at a Board assembled, upon the Receiver of the Town Assessments, who is hereby empowered to pay the same out of the Funds herein-after appointed for the same.

Clause XI.

Commissioners authorised to employ a Clerk or Assistant.

The Duty of such Clerk.

His Salary limited to £100.

The Clerk's salary and other Expences to be paid by Orders directed to the Receiver of Town Assessments.

And be it enacted by the Authority aforesaid, That all Forfeitures and Penalties, inflicted by this Act, shall be paid into the hands of the Receiver of Fines and Assessments for the Town of *Saint George*, at his House or Office in the said Town, and shall be applied in the first place, to the discharge of the Order or Orders of the said Commissioners, as aforesaid, for the payment of the expences of carrying this Act into execution; and the remainder, if any, to be applied to such Town uses and purposes as shall hereafter be declared by this, or any future Act of the Legislature of the Island of *Grenada* and its Dependencies.

Clause XII.

All Forfeitures and Penalties to be paid into the Hands of the Receiver of Town Assessments.

And whereas, the Proprietors and Inhabitants of the said Town of *Saint George*, have found much inconvenience from the nomination and appointment of Commissioners, in and by the herein-before recited and revived Act for re-building the said Town, inasmuch as very many of the said Commissioners have been, and now are, Country Gentlemen, neither resident in, nor possessing any Property in Lands or Houses within the Limits of the said Town; for Remedy whereof,

Be it enacted by the Authority aforesaid, That the Rector of the Town of *Saint George*, for the Time being, with such and so many of the Honorable the Members of the Council, the Members of the House of Assembly, and the Justices of the Peace, all for the Time being, as are resident in, or possess freehold or leasehold Property within the Limits of the said Town of *Saint George*, of the Value of One Hundred and Fifty Pounds Currency,

Clause XIII.

Who are to be deemed Commissioners for carrying this Act into Execution.

yearly Rent, shall be, and they are hereby appointed Commissioners for carrying this Act into Execution ; and it shall and may be lawful for any Seven or more of the said Commissioners, to meet and be a Quorum or Board, as often as they shall think fit, or at such stated Times as the said Commissioners, from Time to Time, shall appoint, to be held at the Court House in the said Town of *Saint George*.

And whereas the Provisions contained in the said herein-before recited and revived Act for rebuilding the said Town of *St. George* for preventing the Proprietors of wooden Houses, then remaining in the said Town, from perpetuating the same, have hitherto proved ineffectual for that purpose : and whereas the same Motives now exist as strongly as ever for wishing to insure the Safety of the whole Town, by gradually lessening the Number, and terminating the further Continuance of the many wooden Houses that yet remain within the Limits of the said Town : And whereas it is apprehended, that all the wooden Houses, or Frames of Houses of all Denominations, worthy to be considered by the respective Proprietors of the same as Objects of Preservation, may, within a reasonable Time to be limited, be well and legally repaired with some or all of the Materials prescribed and allowed in and by this Act :

Clause XIV.

The duration of Wooden Buildings at present erected, limited to Five Years after the publication of this Act, after which time, all Houses which shall not have been repaired, or reconstructed, agreeable to the Directions of the Act, to be pulled down, and the Materials sold at public Vendue within Three Days ; and after defraying the Expence of such pulling down and Sale, the overplus if any, and not claimed within One Month, to be paid to the Receiver of Town Assessments.

Ten Days' previous Notice to be given to the Proprietors of Houses ordered to be pulled down, requiring them to pull down and remove the same within the said Space of Ten Days.

Be it therefore enacted by the Authority aforesaid, That from and after five Years next after the Publication of this Act, no wooden House or Frame of a House of any Denomination, or for any Use or Purpose whatsoever, having any Part of the Outside of the Body or Roof thereof of Wood, or of any Materials other than are allowed by this Act, shall be suffered in that State to remain, stand, or continue within the Limits of the said Town of *Saint George*, or within One Hundred Feet beyond the said Limits ; and the said Commissioners or any five of them at a Board assembled, are hereby empowered and strictly enjoined to issue their Warrant to the Provost Marshal, or his lawful Deputy, as herein-before mentioned, requiring him to pull down and level to the Ground every such House or Building as shall be found standing, contrary to the Provisions of this Act, at the Expiration of five Years next after the Publication thereof, and the Provost Marshal, or his Deputy, is hereby authorised and enjoined to execute such Warrant at the Expence of the Proprietor or Proprietors of such House or Building respectively, to be defrayed by a Sale of the Materials on the Spot, at public Vendue, within Three Days after such pulling down of the same, and the Overplus, if any, after defraying the Expences of the Sale and pulling down as aforesaid, shall be paid to the respective Proprietors claiming the same : and in all Cases where the same shall not be claimed within One Calendar Month thereafter, the same shall be paid to the Receiver of Fines and Assessments for the said Town of *Saint George*, to be applied to the public Uses of the same : Provided always, That, before any such Warrant shall issue, Ten Days' previous Notice shall be given by the Clerk of the said Commissioners to the Proprietor of such House or Building, his or her Attorney or known Agent, or to the Tenant of the Premises, that, unless he or she shall pull down the same, and remove the Materials thereof in Ten Days, a Warrant will issue for that Purpose.

And whereas it appears by the Minutes of the proceedings of the Commissioners appointed in and by the said herein-before recited and revived Act, That *Andrew Irwin*, Esquire, had, at his own proper Costs and Expence, made and filled up a public Wharf, faced with Piles, at seven Feet Water, extending in length from *Monkton's Street* to the Sea, about One Hundred Feet, and in breadth twelve Feet, comprehending a public Lane or Passage to the Sea, leading from *Monkton's Street* between the Lands of the said *Andrew Irwin* and a Water Lot granted to *Michael Corr*, now the Property of *Thornton, Baillie, and Campbell*, which said Passage, and Wharf in front of the same, was, about seven Years ago, laid open for public use by the said *Andrew Irwin*, at the requisition of the said Commissioners, being a public convenience very much wanted in that part of the Town : And

whereas it is just and reasonable that the public, who have so long had and still continue to have the use and benefit of the said Wharf and Passage, so filled in and piled by the said *Andrew Irwin* as aforesaid, should make some reasonable compensation to the said *Andrew Irwin* for reimbursing such his Labour and Expence for the public ;

Be it enacted by the Authority aforesaid, That it shall and may be lawful for any Board of Commissioners for carrying this Act into Execution, and they are hereby authorised and required to treat and conclude with the said *Andrew Irwin* for the payment of any sum they or any five of them shall judge adequate and reasonable for his said Reimbursement, not exceeding the Sum of Three Hundred and Thirty Pounds Currency, payable out of the Fines, Forfeitures, and Penalties, inflicted and to be recovered by virtue of this and the herein-before recited Act ; and for which Payment the Certificate of any five of the said Commissioners, directed to the Receiver of such Fines, Forfeitures and Penalties, shall be a sufficient Warrant to the said Receiver for paying or setting off the same against any Sum due from the said *Andrew Irwin* by virtue of the said herein recited Act, or by this present Act.

And whereas it appears, by the Minutes of the Proceedings of the said Commissioners, that certain Grants had been improperly or by surprise obtained of certain parts or portions of the public Streets and Squares of the said Town of *St. George*, to the great annoyance and prejudice of the other Inhabitants and Proprietors of the same, particularly a valuable Lot of Land, occupying the most public landing place at the end of *Young's Street*, in the *Lower Carenage*, granted in the Year One Thousand Seven Hundred and Seventy-one, by Governor *Melville*, to the Honorable *Frederick Corsar*, late of this Island, and now the Property of *Andrew Irwin*, Esquire : And whereas the said Grant, however improperly obtained, having since passed from the Grantee to the present Proprietor for some valuable consideration, it is apprehended that Grants so circumstanced cannot be resumed or cancelled without first making some fair and reasonable compensation to such *bona fide* Proprietors : And whereas the resuming or cancelling the said Grant, and thereby restoring the free use of the said public landing place to the Public, would be of great and obvious utility :

Be it enacted, by the Authority aforesaid, That it shall and may be lawful for any Board of Commissioners for carrying this Act into Execution, at their first or any future Meeting after the publication of this Act, to summon before them the said *Andrew Irwin*, or any other Proprietor or Proprietors of the Grant herein-before mentioned, and on the said Proprietor so appearing, to treat and conclude with him for such his acquired Right in and to the public Landing so improperly granted as aforesaid, together with any Improvements thereon erected, payable out of the Fund established by this Act, as herein-before mentioned ; Provided always, That for the purpose of valuing the Interest of such Proprietor, due regard must be had to the Amount of the *bona fide* consideration actually paid to or for the use of the previous Grantee, to which only shall be added the subsequent Expence of improvement, deducting the value of all interim Rent or Occupancy, as the case may be, as such Resumptions for public utility should not be impeded by any mercenary View beyond a fair Reimbursement : And if the Proprietor or Proprietors of the Grant herein-before mentioned shall refuse or neglect to attend before a Board of Commissioners, being thereto summoned by a Notice in Writing, delivered by the Clerk of their Board, or left by him at such Proprietor's last place of Abode, Three Days before the Day appointed for such attendance ; or if such Proprietor or Proprietors, after so attending, shall refuse to accept the price or compensation which shall be offered to him, it shall and may be lawful, in such case of Non-attendance or Refusal, for the said Commissioners, or any Five of them at a Board assembled, to issue their Warrant to the Provost-Marshal, requiring him to summon a Jury of twelve reputable Freeholders or Leaseholders

Clause XV.

Any Board of Commissioners authorised to treat and conclude with *Andrew Irwin* for any Sum not exceeding £330, that shall be deemed a reasonable compensation for piling and filling in a Wharf and Passage in the *Carenage*. Such Expence to be paid out of the Fines and Forfeitures incurred by the Act.

Clause XVI.

The Commissioners at their first Meeting, directed to treat and conclude with *Andrew Irwin*, for a right which he had acquired in a public Landing, which had been improperly granted.

Mode of proceeding to ascertain the Value of such Land so improperly granted, in case the Proprietor shall not attend, or shall refuse to accede to the Proposals which may be made to him.

resident in the said Town, with whom the said Provost-Marshall, or his lawful Deputy, shall repair to the premises so to be valued ; and the said Jury on their Oaths, shall then and there inquire into the consideration actually paid for such premises by the present Proprietor or Proprietors, together with all subsequent Disbursements as aforesaid, and on the other Side, the Value of all subsequent Rent or Occupation of the Premises, and shall thereupon calculate, ascertain, and certify the Amount to be reimbursed to such Proprietor or Proprietors as aforesaid ; and all Fees and Expences attending such Valuation by Jury shall be paid to the Provost-Marshall by the Receiver of the Fines and Penalties under this Act, on the Marshal's producing a Warrant for that purpose, under the Hands and Seals of any Five of the said Commissioners at a Board assembled, directed to such Receiver, and the One Half thereof shall be deducted from the Amount of the Reimbursement so assessed or ascertained by Jury as aforesaid, and the other Half thereof shall be paid out of the Fund to arise by this Act.

And whereas the First, Second, Third, Seventh, Ninth, Tenth, Eleventh, Twelfth, Thirteenth, Seventeenth, Nineteenth, Twentieth, Twenty-first, Twenty-second, Twenty-third, and Twenty-fourth Clauses of the said recited Act, have been found either unnecessary or inconvenient, or to contain Matter for which other Provision is made by this present Act.

Clause XVII.
Repeals such of the
Clauses of the former
Act as have
been found to be
unnecessary, or in-
convenient.

Be it enacted by the Authority aforesaid, That the said several enumerated Clauses are, and each of them is, hereby declared to be of no Force or Validity whatsoever, from and after the Publication of this Act.

No. XXII.

Vide Acts,
Nos. 9.
19.
39.
40.
69.
98.

An Act further to amend and explain " An Act for the Preservation of the Harbour and Bay of *St. George*, appointing Regulations to be observed by Masters of the Ships and other Vessels coming into and Anchoring therein, for empowering the Commander-in-Chief to appoint a Harbour-Master, and for fixing his Salary." [April 6, 1790.]

Preamble.

WHEREAS by the said recited Act, the said Harbour-Master's Salary is fixed at Two Hundred Pounds Currency per year, which has been found an inadequate remuneration for his labour and pains, and for the keeping or hiring a Row Boat and Sailors, in the discharge of his said duty of Harbour-Master ; the said recited and other subsequent Acts having required his frequent attendance on the water : In order, therefore, to enable the said Harbour-Master to comply with the said requisitions of the said several Acts, regulating his duty as aforesaid ;

Clause I.

Be it enacted by Your Majesty's dutiful, loyal, and obedient Subjects, the Captain-General and Commander-in-Chief of the Island of *Grenada* and such of the Islands, commonly called the *Grenadines*, as lie to the Southward of *Carriacou*, including that Island, and the Members of Your Majesty's Council, and the Representatives of the People of Your Majesty's said Islands : And be it enacted, by the Authority aforesaid, That from and after the publication of this Act, the Harbour-Master for the Time being for the said Harbour, duly qualified, and acting agreeable to the said recited and other subsequent Acts, regulating and directing his duty, shall be entitled to receive Three Hundred and Thirty Pounds Currency per Annum, instead of the before-mentioned Salary of Two Hundred Pounds Currency per Annum, given in and by the said recited former Act ; which said Sum of Three Hundred and Thirty Pounds Currency per Annum shall be receivable and payable, in the said manner, as the said former Salary was by the said foregoing recited Act, that is to say, out of the hands of the Treas-

Harbour-Master to
have a Salary of
£330 Currency.
Vide Act, No. 148.

suror of the said Islands for the time being, to be paid out of the Fines and Forfeitures, recovered in virtue of the said recited Act, if the same shall be sufficient for that purpose, and in case of a deficiency therein, out of any other Monies in the hands of the said Treasurer unappropriated.

And be it enacted by the Authority aforesaid, That such Harbour-Master shall be obliged, and he is hereby ordered and directed to have and keep a proper Row Boat, with four fit and able Sailors, or Men to row the same, at his own expence, and shall, if required, by himself, or some other proper person for him, pilot and conduct every Vessel (other than Droghers) coming into the Port or Harbour of *Saint George*, to her Berth, in the said Harbour, under the penalty or forfeiture of Ten Pounds for every neglect or refusal of the said Harbour-Master to execute all or any of the duties of his Office or Requisitions hereby imposed, to be recovered in the manner as fines and forfeitures are directed to be recovered against the said Harbour-Master, under and by virtue of the said recited Act.

Clause II.
Harbour-Master to keep a Row Boat at his own expence.

And if required, to Pilot any Vessel (except Droghers) into the Harbour of *St. George*.
And refusing so to do, to forfeit £10 Currency.

And be it further enacted by the Authority aforesaid, That in case any Master of a Vessel shall require of the said Harbour-Master to pilot his Vessel into the said Harbour, then and in such case, the said Harbour-Master shall be entitled to demand and receive for such Pilotage, a Fee of Thirty-three Shillings; and, on refusal of payment, to be recovered by Complaint in a summary way, before any Justice of the Peace of the said Island of *Grenada*, who is hereby authorised and empowered to hear and determine the same.

Clause III.
Harbour-Master for such Pilotage to receive a Fee of £1 13s to be recovered in a summary way.

No. XXIII.

An Act further to explain and amend an Act intituled "An Act for establishing and regulating a Militia in this Island and *Carriacou*," to repeal the 41st Clause of said Act, and also to repeal so much of "An Act for establishing Signal Posts, for erecting Batteries, and keeping the same in repair, empowering the Commander-in-Chief to appoint Master-Gunners to take care of such Batteries, and fixing their Salaries," as allows Salaries to Master-Gunners of Batteries. [June 29, 1790.]

N. B.—So much of this Act as relates to Master-Gunners, is in force, and is sufficiently expressed in its title—the rest is Repealed by No. XXXIII.

No. XXIV.

An Act for re-establishing a Court of *Common Pleas* and a Court of *Complaints*, directing the Modes of Proceeding therein, prescribing the Order of levying Executions issued out of the Courts formerly subsisting, or hereafter to issue out of the Courts hereby established, for limiting the Times of making Sales of Effects levied on, and for regulating and restricting the Conduct of the Secretary and Provost-Marshal in their respective Offices, and removing doubts with respect to the Expiration of the former Act for re-establishing the said Courts. [Dec. 23, 1790.]

Amended by Acts,
Nos. 30.
64.
110.
137.

WHEREAS, nothing can conduce more to the Encouragement of Trade, the Support of Credit, and the Reputation and Prosperity of a Colony than the

Preamble.

free and impartial Administration of Justice: We, therefore, Your Majesty's most loyal and obedient Subjects, the Captain-General and Governor-in-Chief of the Island of *Grenada* and the *Grenadines*, to the southward of *Carriacou*, including that Island, the Honorable the Members of His Majesty's Council, and the General Assembly of the same, humbly pray Your most excellent Majesty that it may be enacted and ordained.

Clause I. *Repealed as to the Style and Title of the Court, by No. XXX, Clause 1; and the rest virtually repealed by the provisions of the same Act, Clauses 2, 3, 4.*

Clause II. And for the more regular proceeding in this Court, Be it enacted and ordained by the Authority aforesaid, that all Actions to be tried, shall be entered by filing a Declaration in the Secretary's Office of this Island, and the Secretary or his lawful Deputy shall minute the same in a Book to be kept for that purpose, and shall mark on the back of each Declaration and in his Book of Minutes the Day the same was filed, and prove the same upon Oath in Court if required, and if any Dispute shall arise as to the Time of filing a Declaration, the same shall be determined by the Court, and the true time entered, and with every Declaration a Summons shall issue to give Notice for the Defendant's Appearance in the Form following: *viz.*

Form of Summons. "George the Third by the Grace of God, of Great Britain, France, and Ireland, King, Defender of the Faith, &c. To our Provost-Marshall of our Island of *Grenada*, or his lawful Deputy, Greeting: We command you to summon A. B. to be and appear before our Court of *Common-Pleas* to be held for the said Island of *Grenada*, the Day of next, at Eight of the Clock in the Morning, at the Town of *Saint George*, then and there to answer the Action commenced against him, or them by C. D. contained in the Declaration hereto annexed, and hereof you are not to fail, as you will answer the contrary at your Peril. Witness E. F. our Chief or Senior Justice of our said Court."

Clause III. And be it further enacted by the Authority aforesaid, That every Defendant against whom any Action shall be entered, shall be served with a Summons and an Office Copy of the Declaration at the same Time, by the Provost-Marshall, or his Deputy, at least Ten Days before the sitting of the next Court, including the Day of Service; and the Provost-Marshall, or his Deputy, is hereby required to serve the same on each Defendant in Person if to be found, but if such Defendant being within these Islands, cannot be found, then it shall be deemed good Service to leave the Summons with a Copy of the Declaration at his or her most usual Place of Abode, and if a Defendant be absent from these Islands, and hath a power of Attorney recorded in the Register's Office of *Grenada*, and the Attorney or Attornies is or are residing in these Islands, or there be a Manager or Overseer on such Defendant's Plantation in these Islands, the Service shall be either upon such Attorney personally, or by leaving it at the last Place of Abode of such Attorney, or it may be upon such Overseer or Manager personally, or by leaving it at the House upon the Defendant's Plantation where the Overseer or Manager usually resides, and if there be no such Attorney, Overseer, or Manager, then the nailing up a copy of the Declaration and Summons at the Front Door of the Court House for the Time being shall be held good Service, and all Services of such Actions, either personal or otherwise shall be made before Sunset of the last Day of Service, or else shall be good only for the second Court after that Service, unless an Appearance be entered at the first Court or the Service accepted by Consent, and the Marshal or his Deputy or Deputies who shall serve such Declaration and Summons shall prove the Service of the same in Court upon oath, and the Time and Manner of such Service, with the Person's Names by whom such Service was made shall be entered at large in the Secretary's Book; And when any Defendant or Defendants shall appear to any Action or Ac-

Manner and Time of serving Declarations.†
Ten Days before the sitting of the Court,
In Person, if to be found.
Or at his usual place of abode.
Or upon his Attorney.
Or his last place of abode.
Or upon the Manager, &c.
Or his House.
Or to be nailed up at the Court House Door.
Services to be made before Sun-set of the last day.
Service to be proved in Court.
Appearance how entered.‡

* See Postea, Clause 14.

† See Clause 14.

‡ See Clause 19.

tions, such Defendant or Defendants shall cause such Appearance to be entered in a brief Manner by Counsel in the Secretary's Book of Minutes under the entry of the Action appeared to, and in all Cases where the Defendant doth demur to the Declaration or plead a special Plea, he shall file the same in the Secretary's Office, Fifteen days before the holding of the second Court after the filing of the Declaration, and shall give the Plaintiff or his Counsel Notice thereof within Two Days after the filing of such special Plea or Demurrer, or be obliged to plead the General Issue, so that the Plaintiff may proceed to Trial at the second Court, otherwise Judgment may pass by Default, and the Plaintiff and his Counsel having such Notice as aforesaid, shall reply or demur or join in Demurrer Five Days before the second Court, and give Notice thereof within Six Hours after filing the same, and the Defendant shall rejoin in Twenty-four Hours after such Notice, except the Court shall hereafter think fit to alter and enlarge the Times hereby fixed for special pleading, which the same Court is hereby authorised to do : Provided that nothing herein contained shall prevent any of the said Justices from allowing further Time for pleading in any particular Cause by Order to be made at their respective Chambers, on good Cause shewn, so as application for such further Time be made before the Expiration of the Time hereby fixed for filing any such Plea respectively.

And be it enacted, That all Writs of *Scire Facias*, shall be served Ten Days before the sitting of the next Court, including the Day of Service by the Provost-Marshal or his Deputy, in the same Manner in every Respect as Actions by Declarations are herein before directed to be served, save only that the Service shall be by a Copy of the Writ attested by the Secretary or his Deputy, the Original to be kept filed in the Secretary's Office, and no Summons to go with it, the Proof of which Service in Court, if made on the Defendant's Person, or his Attorney, Manager, or Overseer, or leaving the Copy of such Writ at the Defendant's Plantation or most usual Place of Abode, shall amount to a *Scire Feci*; but if such Service shall have been by nailing up such Copy at the Front Door of the Court House, the same shall amount to a Return made by the Marshal, that the Defendant hath nothing in his Bailiwick by which he can make him to know, and that he is not to be found in his Bailiwick, which shall be as sufficient to found a Judgment upon as two *nihils* returned by the Laws of *England*, but yet Judgment or award of Execution shall not be entered until the second Court after such Service, and the Court of *Common Pleas* hereby established or any of the Justices thereof out of Court shall and may upon request assign a Guardian to defend, or a Guardian or next Friend to sue and prosecute for any Infant absent or present who shall be a party in any action to be commenced in the said Court.

And be it further enacted by the Authority aforesaid, That all Declarations, Demurrers, and other pleadings, shall before the filing be signed by some Counsel qualified to practice in the Court aforesaid, as herein-after required.

And be it further enacted by the Authority aforesaid, That if any person shall presume to plead or practice the Law in this Island, or give advice in any Law affair whatsoever for fees, present or reward, until he hath with the approbation of the Court of *Common Pleas*, qualified himself in the said Court, by taking the following Oath, and also the Oaths required by Act of Parliament to be taken by persons in offices or places of trust, he shall forfeit the Sum of Fifty Pounds Current Money of this Island for each offence, one half to the use of His Majesty, his Heirs and Successors, towards defraying the public charges of this Island, and the other half to such person as shall inform and sue for the same, to be recovered by action of debt, bill, plaint, or information in the said Court of *Common Pleas* in this Island, which first mentioned Oath shall be taken in the words following : *viz.*

" You shall swear, That you will well and truly serve the King's people,

Demurrer or special pleas.
To be filed Fifteen days before the second Court.
Notice thereof.

To be replied to within Five Days of the second Court.

Rejoined in Twenty-four Hours after.

Provido.

Further time may be allowed.

Clause IV.
Manner and Time of serving *Scire Facias*.

Guardians or next Friends for Infants, how assigned.

Clause V.
Pleadings to be signed by Counsel.

Clause VI.
Qualification of Counsel.

£50 Penalty.

Form of the Oath.

" and all others who shall legally retain you, according to the best of your knowledge and learning in the Laws of *England* and the Laws of this Island, and you shall truly counsel and advise them that shall retain you, according to the best of your skill, and you shall not defer, protract or delay their causes any way to their hurt or disadvantage for the sake of making gain or profit thereby, nor for hope or promise of reward from any other person, so help you God : " a Certificate of the taking of which Oath must be filed in the Secretary's Office, before any person shall be deemed to be qualified.

Clause VII.

Process for absent Plaintiff not to issue without Letter of Attorney filed.

Attornies made liable for Costs.

Proviso.
Not to prevent Persons illegally arrested from pursuing their remedy.

Proviso.
No Person but Defendant at liberty to impeach the Process.

And for the better preventing of litigious Suits, and for the securing of Costs where any Plaintiff or Plaintiffs is or are off this Island, and that such Suit may not be proceeded upon in the Name of such person or persons without his, her, or their Authority, Be it enacted, by the Authority aforesaid, That no Process whatever, shall, without the Defendant's Consent, issue in the name of any person or persons who shall be absent from this Island at the Time of such process issuing, unless there be a Power of Attorney duly proved and recorded from such person or persons, or some one of them, and the Attorney or Attornies of such person or persons, or some one of them may by Order of the Court be subjected and made liable to all the Costs and Charges of the Suit as the Plaintiff or Plaintiffs might or would be, was or were such Plaintiff or Plaintiffs, personally present, and to be recovered in like manner, provided that nothing herein-before contained shall extend or in anywise be construed to extend to prevent any person or persons who shall be illegally arrested from pursuing and having his Remedy by Action at Law against the person or persons taking out such Writ or Process ; And provided also, that if any such Process shall have issued without such Power of Attorney as aforesaid, yet no person but the Defendant or Defendants shall be at liberty to impeach the regularity thereof ; And if the same shall appear to the Court to have issued with the Consent of the Defendant or Defendants, every such Process shall be good and effectual as against him or them, and shall not afterwards be set aside, or made void for want of any such Power as aforesaid.

Clause VIII.

No Warrant of Arrest to issue without Affidavit.

Nor for less than £10.*
Except against transient Persons.

Persons swearing to Inhabitaney.

And accepting the Arrest as a Summons to appear.

To be discharged.

And be it enacted, by the Authority aforesaid, That no Writ or Warrant of Arrest shall issue against any Person whatsoever, without Affidavit of the Cause of Action first made and filed in the Secretary's Office, and the Sum specified in such Affidavit shall be endorsed on the back of every such Writ, for which Sum, and no more, the Marshal or his Deputy shall take Bail, nor shall any such Writ issue against any Person being an Inhabitant of these Islands, so as to hold him or her to Bail for any Cause of Action, where the Demand doth not amount to Ten Pounds Current Money, but that such Writs or Warrants may issue against transient persons in all cases, and if any person being an Inhabitant of these Islands, shall be arrested for any Sum under Ten Pounds, and shall insist on being privileged from such Arrest by virtue of this Act, the Marshal, or his Deputy, shall, without delay, and without Fee or Reward, attend with such person before one of the Justices of the Court of *Common Pleas*, and if such person or persons shall make Oath before such Justice, that he or she is an inhabitant of these Islands, and that he or she will not depart therefrom without satisfying such demand, if the same shall be recovered against him or her, the Justice shall write on the Writ or Warrant of Arrest, the Defendant sworn to Inhabitaney, which Oath and Attestation the Justice is hereby required to administer and sign without any Fee to be paid, therefore, after which Oath the Defendant shall and may sign an Indorsement on the said Writ or Warrant of Arrest, signifying that he or she doth accept that Arrest as a Summons to answer that complaint and will appear thereto, and every such Defendant so making Oath and signing the Indorsement as aforesaid, shall forthwith be discharged out of custody by the Marshal, or his De-

* See Clause 69.

puty, without Fee or Reward; Provided always, That if any person so arrested shall satisfy the Marshal or his Deputy, that he or she is an Inhabitant, and as such, privileged from that Arrest, and the Marshal shall discharge him or her on acceptance of the Arrest as a Summons without such Oath aforesaid; such discharge shall be at the Marshal's peril as to the Inhabitancy of such person so arrested.

Proviso.

Marshal discharging without Oath, at his Peril.

And be it also enacted, by the Authority aforesaid, That the Bail Bond to the Marshal, shall be conditioned for the appearance of the Defendant at the next Court to answer the action, specifying in such condition the Plaintiff's name, the nature of the action, and the Sum, and it is declared that the condition of such Bail Bond shall be deemed satisfied, and the Defendant's appearance may be made either by producing the Defendant's Body at such next Court, and delivering him into the Marshal's Custody, or by giving special Bail in Court by Recognizance, in the form and to the effect used in the Court of *Common Pleas* in *England*, of which Surrender or Bail no notice shall be required, and the Secretary shall enter in his Court-Book such delivery of the Defendant's Body, or such Recognizance entered into as the case shall be, and in case of forfeiture of such Bond, the Bail Bond, shall on Demand and without further Order, be assigned by the Provost-Marshal or his lawful Deputy, in a concise manner on the back by an Indorsement signed and sealed in the presence of one or more Witnesses to the Plaintiff, his Executors or Administrators, and shall be sueable in the name of the Plaintiff, his Executors or Administrators, as Assignee or Assignees of the Provost-Marshal or his Deputy, and in declaring thereon no precise recital or profer of the Assignment shall be required, but the Plaintiff may declare as Assignee, or as Executor or Administrator of A. B. Assignee of C. D. now or late Provost-Marshal or Deputy Provost-Marshal of *Grenada*, as the case shall be, and the Court may by Rule or Rules give such relief to the Plaintiff and Defendant in the original Action and to the Bail upon the same Bond as is agreeable to justice and reason, and such Rule or Rules of the said Court, shall have the nature and effect of a discharge of such Bail Bond.

Clause IX.
Bail Bond to the Marshal.
Condition.

How satisfied.
Vide Act, No. 110.

Bail Bond assignable by the Marshal to Plaintiff:

How proceeded on.

Court may by Rule give Relief, such Rule to have the effect of a Discharge.

And be it also enacted, by the Authority aforesaid, that in any Action or Suit not founded on a Judgment or Specialty, Note, Bill of Exchange, or other Writing, specifying the quantum of the demand, with certainty, the Judges in Court, or any of them, or a Judge in his Chamber, may moderate and settle for what Sum Bail shall be accepted, by indorsing the same on the Warrant of Arrest, in case no Bail Bond hath been given, or on the Bail Bond, in case the same hath been given.

Clause X.

Bail in uncertain Demands how settled.

And be it also enacted, by the Authority aforesaid, That where special Bail is not given during the sitting of the Court, at the next Court precisely according to the condition of the Bond given to the Marshal, yet special Bail may be given by recognizance before the Secretary or his Deputy, each of whom is hereby empowered to take the same in his Office when the Court is not sitting, so that Notice be given in writing to the Plaintiff, or his Counsel, of the names and places of abode of the persons offering themselves as Bail before the Secretary, at least twelve hours before the giving such Bail, in order that they may be excepted to, so as such Bail to be given before the Secretary be given before Judgment had on the Bail Bond, but after process on the Bail Bond, the same Bond shall not be discharged without Order of Court and Payment of full Costs: Provided always, That if more than one Action is brought on such Bail Bond, no more than Counsel's Fee for one Declaration in the whole shall be allowed in Costs.

Clause XI.

Where special Bail not given in Court,

May be given before the Secretary by recognizance.

Proviso.
If more than one Action brought on Bail Bond, only one Counsel's fee allowed.

And be it also enacted, by the Authority aforesaid, that the Plaintiff shall have four days, and no longer after special Bail put in, sitting the Court, and four Days and no longer after due Notice of special Bail put in before the Secretary or his Deputy in his Office to except to the same; And if there be an exception, the Bail shall be obliged to justify, on Oath,

Clause XII.

Exception to and Justification of Bail.

in Court, or before one of the Justices of the said Court, at his Chambers, and the Exception shall be entered in the Secretary's Book under the Bail given, and Notice thereof in Writing given to the Defendant or his Counsel within the same four Days, and if no Justification within four Days after such Notice of Exception, then upon Affidavit of such Notice sworn before a Justice, and filed in the Secretary's Office, the Bail so given in Court or before the Secretary, shall be no Bar or Discharge of the Bail Bond to the Marshal; and if a Defendant committed for want of special bail, shall afterwards give special Bail and due Notice thereof, such Bail being allowed on Justification or not excepted to in time, such Defendant shall on motion in Court or before one of the said Judges in his Chambers, be discharged, first giving twenty-four hours Notice in writing to the Plaintiff or his Counsel of the time and place of such motion.

If no Justification within four days after exception, Bail so given, no discharge of Bail Bond. Defendant committed for want of special Bail, and afterwards giving such, to be discharged on motion.

Clause XIII.
Process on Recognizance of Bail,

and surrender of Defendant.

A full discharge of Bail.
Proviso.
Process against Bail not discharged without Costs.

Clause XIV.
Defendants in Custody by virtue of arrest, to be discharged upon giving Notice, and no Declaration filed in 6 days.

Justices empowered to award Costs for want of Prosecution.

And be it enacted, by the Authority aforesaid, that no *Scire Facias* or Process shall go on the recognizance of Bail, until an execution against the Defendant shall be returned, that the Defendant is not found, and *Nulla Bona* generally or specially as the case may require, and that the Bail may surrender the Principal in discharge of themselves at any time before Judgment against the Bail, and the surrender of the Principal shall be by actually delivering him into the custody of the Marshal at the common Gaol, and the Marshal or his Deputy shall be obliged to give a Receipt under his Hand for the person so surrendered, with the day and year of the surrender, or be liable to the party injured in an Action on the case for all Damages, and an affidavit of such surrender duly made and sworn before a Judge in his Chamber, and filed in the Secretary's Office, with the said Receipt annexed, and an entry which the Secretary shall make of such surrender under the recognizance of Bail, specifying the day and year of the surrender mentioned in the Marshal's Receipt, shall be a full discharge of the Bail; Provided always, that in case of such surrender, the *Scire Facias*, or Process against the Bail shall no way be discharged, without first paying in Court five Pounds Costs thereon, and such further Costs as the Court shall award; and also the Officers' Fees incident to the surrender, which they are or shall be lawfully entitled to receive.

And be it enacted, by the Authority aforesaid, that in all cases (except as herein-after provided) where the Defendant shall be in Custody of the Marshal by virtue of any Warrant of Arrest issued out of the Court of *Common-Pleas*, either for want of special Bail or by being surrendered to the Marshal by the Bail as aforesaid, and shall give Notice to the Plaintiff or Plaintiffs in their Action, or his or her Counsel in writing, signed by such Principal or Counsel, of such Principal being in custody, the Plaintiff or Plaintiffs shall in six Days after being served with such Notice (exclusive of the Day of Service) file a Declaration in the Secretary's Office of the said Island, against such Person so in custody, in order that the cause may be brought to a trial as soon as may be, and in case the Plaintiff or Plaintiffs shall neglect to file such Declaration within the time aforesaid, any Justice or Justices of the said Court, in open Court, or any of the said Justices at his Chambers, may by Order to the Marshal or his Deputy, to be entered into the Secretary's Court Book, discharge such person out of custody upon due proof being made by affidavit of the service of the Notice hereby required, and on a certificate being produced, signed by the said Secretary, of no declaration being filed in his Office by the said Plaintiff or Plaintiffs, against the said principal within the time aforesaid; and such Justice or Justices in open Court, or Justice at his Chambers, shall, by the said order, direct the person or persons who sued out the Warrant of Arrest, to pay to the said principal, his or her Costs occasioned by the said Arrest, and the subsequent proceedings before the Justice or Justices as aforesaid to be taxed; and in case the said Plaintiff or Plaintiffs who sued out the Arrest, shall refuse immediately to pay to the said principal such Costs, then an Execution shall issue for the same, against

such Plaintiff or Plaintiffs, and be proceeded upon in the same manner as Executions for Costs in other cases ; Provided nevertheless, that upon application made within the said six days, by such Plaintiff or Plaintiffs to the Court, if sitting, or to a Judge, in his Chamber, out of Court, and upon good cause shewn the Court or Judge, respectively, may prolong the time for filing such Declaration. Provided always, That where there are two or more Defendants to the Action, and one or more of such Defendants shall give Bail for his or her appearance at the next Court, after such Warrant of Arrest sued out, and one or more of such Defendants shall be in custody of the Marshal for want of such Bail for his or her appearance at the said Court, that in such case the Plaintiff or Plaintiffs shall not be obliged to file a Declaration against the person or persons in custody, until the Bail for the appearance of the other Defendant or Defendants shall either give special Bail as aforesaid, or surrender up the person or persons for whom such Bail for appearance was given ; Provided also, that where one or more Defendant or Defendants shall be in custody of the Marshal for want of Bail for his or her, or their appearance, and one or more of such Defendant or Defendants shall not have been taken upon the Warrant of Arrest, then the Plaintiff or Plaintiffs shall not be obliged to file a Declaration against the person or persons in custody, until the expiration of six weeks from the day of his being so in custody, except it shall be made appear by one or more affidavit or affidavits, to the satisfaction of the Court, or of a Judge in his Chambers, to be filed in the Secretary's Office, that such Defendant or Defendants is or are out of the Jurisdiction of the Court and that there is no reasonable ground to expect that such Defendant or Defendants can be apprehended by virtue of such Warrant, within the said space of six weeks ; and if special Bail be given in Court, for such Defendant or Defendants out of custody, then the persons so becoming Bail, shall immediately receive a Declaration in the original action, against the person or persons for whom such Bail was given, and the cause shall proceed to Trial against all the Defendants at that Court, unless the Plaintiff or Plaintiffs shall, by motion in open Court, pray to be allowed a further day to file such Declaration, which the Court is hereby empowered to allow on good cause shewn ; And where special Bail shall be given and perfected out of Court, or the Defendant or Defendants be surrendered to the custody of the Marshal, or such Affidavit of the Defendant or Defendants absence from the Jurisdiction of the Court, shall be made and filed as herein-before directed, then the Declaration against such Defendant or Defendants, shall be filed within six days after Notice of such Bail, Surrender or Affidavit, unless the time shall be enlarged as aforesaid, and all the remedies hereby given to a person in custody, where there is but one Defendant in case of the Plaintiff or Plaintiffs neglecting to proceed in the cause, shall extend in the like manner to every such Defendant for whom special Bail shall be given out of Court, or who shall be surrendered up after Bail given for his or her appearance as aforesaid.

And be it enacted, by the Authority aforesaid, that it shall not be lawful to arrest, or take in Execution the body of any person or persons whatsoever, in a civil cause, or to serve and execute any Writ, Process, Warrant, Order, Judgment or Decree, on a Sunday, except as herein-after provided : and the Service or Execution of such Writ, Process, Warrant, Order, Judgment or Decree, shall be void, and every person so arrested or taken in Execution on a Sunday, may be discharged therefrom by order of any Judge authorised to grant a *Habeas Corpus*, and shall moreover be entitled to an Action to recover damages against the Offender or Offenders for the injury sustained ; Provided always, That nothing herein contained, shall extend to prevent or hinder any person held on Bail, or any person making escape from being surrendered or retaken on a Sunday ; and the Provost-Marshal is hereby required on demand made at the Common Gaol of this Island, to receive in his custody, every person so offered to be surrendered, on pain of making himself liable in an Action at the Suit of the Party

Proviso.

Judges may prolong time for filing Declarations.

Proviso.

If two or more Defendants and one or more give Bail for appearance, and one or more be in custody, Plaintiff not obliged to file Declaration against Persons in Custody, until Bail for appearance of the other Defendants, shall give special Bail, or surrender the principals.

Proviso.

If one or more Defendants in Custody, and other Defendants not arrested, Plaintiff not obliged to file Declaration until the end of six weeks, except Affidavit is made that Defendants not arrested are out of the Jurisdiction, and no ground to expect such Defendants can be arrested within the said six weeks.

If special Bail be given in Court for Defendant out of Custody, Bail to receive a Declaration, and cause to be tried against all Defendants at that Court, unless Plaintiff shall move for a further day to file Declaration.

Where special Bail given out of Court, or Defendant surrendered or Affidavit of Absence made, Declaration to be filed within 6 days after notice, unless time shall be enlarged. Remedies given to Persons in Custody, extended to every Defendant for whom Bail is given, or who shall be surrendered.

Clause XV.

No Writ or Process in a civil Cause to be executed on a Sunday.

Proviso.

Persons held on Bail, or making escape, may be surrendered or taken on a Sunday.

grieved for the Sum due from the person so offered to be surrendered, and all damages and costs to be sustained from the want of such surrender being made.

Preamble.

Clause XVI.
Actions of Ejectment.

Proceedings thereon to be agreeable to the Practice of the *Common Pleas of England*.

Proceedings where there are two or more Tenants in possession who claim separate parts.

Court may direct views of land.

Clause XVII.*

If more than one Plaintiff or Defendant, and cause of Action survive, the same not to abate, but death of party to be suggested.†

Clause XVIII.

Notes may be recovered though no consideration of value be expressed therein, or if expressed and made to order, the same may be indorsed, and put in Suit as Inland Bills.

Interest to be allowed from the time of demand.

Clause XIX.

Defendant neglecting to enter appearance, for making Default at the second Court, Plaintiff entitled to Judgment by *Nihil dicit*. And in such cases, as well where Judgment shall go on Demurrer before Plaintiff shall be entitled to final Judgment, he must prove his debt before the Justices only, if it is an Action of Debt for sterling Money or Currency; but if for foreign Money or Goods, the same to be inquired of by a Jury.

And be it enacted, by the Authority aforesaid, that Actions of Ejectment may be brought in all cases happening in this Island, where the like Actions may be brought for any Lands or Tenements in England, and the proceedings to be had thereupon, shall be as nearly as may be agreeable to the practice of the Court of *Common Pleas in England*, and if there be two or more Tenants in possession, who claim separate parts or parcels of the Lands or Tenements sued for, every such Tenant shall give, in writing, under his or her own, or his or her Counsel's hand, the particulars of the Lands or Tenements claimed by such Tenant respectively, before he or she shall be admitted to be a Defendant; and after being so admitted under the usual Rules, shall be served with a separate Declaration for the Lands or Tenements, so by him or her claimed, which shall go to a Trial in the same manner as Actions of Ejectment brought against one Tenant in possession only; and the Court may on application direct Views of Lands to be had and taken, and give such order therein as is agreeable to the practice of the Court of *Common Pleas in England* in like cases.

And be it further enacted, by the Authority aforesaid, that where there shall be two or more Plaintiffs or Defendants, and one or more of them shall die before Verdict, if the Cause or Action shall survive to the surviving Plaintiff or Plaintiffs, or against the surviving Defendant or Defendants, the Writ or Action shall not be thereby abated, but such Death being suggested upon the Record, the Action may be proceeded in, at the Suit of the surviving Plaintiff or Plaintiffs, against the surviving Defendant or Defendants.

And be it further enacted, by the Authority aforesaid, that all Notes called Promissory Notes heretofore given, or hereafter to be given, payable to any person or persons, shall and may be sued for, and recovered with full effect, though no consideration of value received be expressed therein, or otherwise, or if expressed for value received, and if made payable to order, then shall be assignable by Indorsement, and negotiable, and may be put in Suit against the Drawer or Drawers, and against any Indorser thereof, as if they were Inland Bills, drawn according to the custom of merchants; and after demand and refusal to pay, lawful interest shall be allowed by a Jury, against the Drawer or Indorser neglecting or refusing to pay the same from the time of the Demand, and such Promissory Notes may be declared on, as Promissory Notes or Inland Bills of Exchange are usually declared on in England.

And be it enacted, by the Authority aforesaid, that in all cases where the Defendant shall neglect to enter his appearance, or shall make Default at the second Court, the Plaintiff shall be entitled to Judgment by "*nihil dicit*;" And in such cases, as well as where Judgment shall go on Demurrer, before the Plaintiff shall be entitled to final Judgment, he shall be obliged to make legal proof of the debt before the Justices only, and not before a Jury, where the Action is an Action of Debt for Sterling Money, or Current Money of *Grenada*, but where in an Action of Debt, the Defendant was bound in foreign money or in goods (the value of which may be variable) or where in any Action upon the Case or other Action, damages only are to be recovered, the same shall be inquired of, and assessed without further Notice, by a Jury at that Court where Default is made, or Judgment given on Demurrer, or at any other Court, as shall be directed or appointed by the Court, upon which inquiry and assessment of damages, Judgment shall be immediately given, unless stayed by the Court; and the Jury in assessing of damages for goods of the produce of this Island, are to rate

* See Stat. 8 and 9, William III. Ch. 11. Sect. 6.

† See Clauses 48, 49.

‡ See Clause 3. as to entering appearance.

and estimate the same as they were worth at the common current price at the time they ought to have been paid for, unless the Contract specified a particular price, or ready money price, in which cases the value shall be accordingly assessed. Damages how to be assessed.

And be it further enacted, by the Authority aforesaid, that it shall and may be lawful, for any Defendant or Tenant in any action or Suit, or for any Plaintiff in replevin, with leave of the Court, to plead as many several matters thereto, as he shall think necessary for his defence, so as no more than three pleas be pleaded in any one Cause: Provided always, that if any of the matters pleaded shall upon Demurrer be judged sufficient, or if a Verdict shall be found for the Party pleading upon any issue in the said Cause, such Party shall be entitled only to costs on the matters so found or determined in his favour, unless the Court shall be of opinion that there was probable cause for pleading any of the other matters pleaded: Provided always, that nothing herein-before contained relative to the Defendant's pleading several pleas, shall extend to any Writ, Declaration, or suit of Appeal of Felony or Murder, or to any indictment or presentment of Treason, Felony or Murder, or other matter, or to any process upon any of them, or to any Writ, Bill, Action, or Information upon any Penal Statute. Clause XX. Defendants, Tenants, or Plaintiffs in Replevin, with leave of the Court, may plead as many several matters as they shall think necessary, so as no more than three Pleas be pleaded in one Cause. What Costs shall be allowed. Proviso. Not to extend to cases of Felony, Murder, or Treason, or to any matter on a Penal Statute.

And be it enacted, by the Authority aforesaid, that no dilatory plea shall be received, unless the Party offering such plea, do by Affidavit prove the truth thereof, or shew some probable matter to the Court to induce them to believe that the fact of such dilatory plea is true. Clause XXI. Dilatory Pleas not to be received without Affidavit or probable matter shown.

And be it enacted, by the Authority aforesaid, that all Statutes made in England, and in force there for helping of Jeoffails or Mispleadings shall be in force within this Island. Clause XXII. Statutes of Jeoffails in force.

And be it enacted, by the Authority aforesaid, that no Action, Suit, or Process, shall abate or be discontinued, or put without day through the absence of the Justices, or some one Justice of this Court, but the Judge or Judges may, at any time, or times, afterwards meet and continue every such Action, Suit, or Process, to any day, and cause such continuances to be entered as of the day on which they should have met. Clause XXIII. Suit not to abate by Absence of Justices.

And be it enacted, by the Authority aforesaid, that in case any Plaintiff shall neglect or refuse to prosecute his Suit, according to the rules and practice of the Court, or become non-suit, or discontinue without the consent of the Defendant, he shall pay costs to be taxed, for which an attachment may issue, or the Defendant may take Execution for such taxed costs, to be proceeded upon as other Executions. Clause XXIV. Plaintiff becoming nonsuit, or discontinuing without leave of Defendant to pay Costs, for which attachment may issue.

Clauses XXV. XXVI. and XXVII. repealed by No. LXXXI. Clause XLIV.

And for appearance of Witnesses to give Evidence in Causes, a Writ of Subpoena shall issue expressing the Cause in which their Evidence is required, and shall be served by any person on the Witness or Witnesses personally, two days before the day of attendance, if such service be made in any place more than one mile distant from the Town of *Saint George*, and twenty-four hours before the day of attendance if such service be made in the said Town, or within one mile thereof, and such Service shall be made by delivering a copy and shewing the original without any tender or payment of charges, and if the Witness make default to attend, not being sick or otherwise disabled, on due proof of the service of the Subpoena, the Court, on Complaint thereof, shall and may impose a fine of ten pounds current money upon such Witness so Subpoenaed and making Default, for which fine the said Court shall award an attachment against the body of such Witness, who shall be imprisoned until payment be made of the said sum and of all Gaol fees; And further, each Witness so Subpoenaed, as aforesaid, and making Default, shall answer in damages to be recovered by Action on the Case at the Suit of the party grieved. Clause XXVIII. Subpoenas to issue for appearance of Witnesses. How to be served. Penalty on Defaulters. How recovered.

Be it enacted by the Authority aforesaid, That Witnesses be allowed their expences by the party that summoned them, as shall be adjudged by

the Court, if required, in open Court; And in case the evidence of such Witness who shall not attend shall appear to the Court upon Oath to be material in the Cause depending, the Court is hereby required in all such cases to adjourn the hearing of the Cause until the next Court following. in case the party for whom such Witnesses should have appeared shall desire the same on payment to the other party of at least twenty-eight shillings or more, if the Court shall order it, for full costs and charges of the day, so that Oath be made of the due service of the Subpœna on such Witness or Witnesses, or else the Cause shall proceed.

Absence of material witness, cause for adjournment on payment of Costs.

And Oath made of due Service of Subpœna.

Clause XXX.

Writs to run in the King's Name, and bear Teste in the Name and under the Seal of the Chief Judge.
Vide Act, No. 64.

And be it enacted by the Authority aforesaid, That all Writs issuing out of this Court, shall run in His Majesty's name, and bear Teste in the name and under the Seal of the Chief Justice for the time being, or in case of his death or absence from these Islands, or being a party in the Suit, in the name and under the Seal of the Puisne Judge of the said Court in Commission on the Island, for which a proper Seal shall be left in the Secretary's Office; And the same fee or fees shall be paid into the hands of the Secretary for the use of the Justice, as is, or are, or shall be due by Law or Docquet, and the said Judge or Justice shall allow the Secretary a reasonable compensation for his trouble in collecting the fees, keeping an account, and paying over the same.

Clause XXXI.

Witnesses about to depart the Island, or disabled, may be examined before a Judge.

And be it enacted by the Authority aforesaid, That in case any Witness or Witnesses in any Cause or Suit depending in the said Court, shall be about to depart this Island, or shall be aged or extremely sick, lame or otherwise disabled from attending upon the trial of such Cause, then the Deposition of such Witness or Witnesses taken upon Oath, before the Chief Judge or any Puisne Judge of the said Court, in the presence of the Plaintiff and Defendant, or their Counsel, or in the presence of either of them, or his or her Counsel, where the other party make Default after due Summons as herein-after directed, shall be held, taken, and esteemed good and sufficient evidence in Law in that Cause, or in any other Cause, for the same thing between the same parties, their Heirs, Executors, Administrators, or Assigns, and the same Deposition shall be recorded, after it is produced in Court, in the Secretary's Office of this Island, among the proceedings in that Cause at the expence of the party producing it, and a copy of that record shall be equal to the original, so as the same be proved upon Oath to be a true copy and examined with the Record thereof.

Deposition to be recorded among the proceedings in the Cause.

Clause XXXII.

Clause XXXIII.

Witnesses about to go off the Island, to be summoned to give testimony.

Repealed by Act CXXV. Clause III.

And be it enacted by the Authority aforesaid, That in any Suit at Law hereafter to be brought in the said Court, a Summons, specifying the Cause and some certain day, hour, and place, shall issue at the request of the Plaintiff or Defendant, to any material Witness who shall be about to go off this Island, requiring his appearance to give testimony before the Judge or Judges, who shall sign such Summons according to the tenor thereof, which said Summons shall be served at least twelve hours between the time of appearance; and in case such Witness make Default to attend, (not being extremely sick or otherwise disabled), then such Witness shall, upon affidavit made of the service of the Summons, be subject to the same fine and Action herein-before given against a Witness or Witnesses neglecting or refusing to attend to give evidence in Court; And in Case by neglect of attendance on behalf of the Plaintiff or Defendant, after the Party or his Counsel has been duly served twelve hours before attendance required, with a true copy of an original Summons signed by the Chief Justice, or any of the Puisne Judges of the said Court, specifying the name of the Cause, with the day, hour, and place of examination, and the Witnesses' names, such service being first proved upon Oath, such Deposition may nevertheless be taken in his absence, and allowed to be good and sufficient testimony as above-mentioned, any former Law, usage or custom to the contrary notwithstanding; And the Judge who takes such Deposition shall immediately deliver the same sealed and indorsed into the Secretary's Office, and the same shall be filed by the

Defaulter's Fine.

Plaintiff or Defendant neglecting to attend after being served with a copy of the Summons, Deposition may be taken in his absence, and allowed to be good evidence.

Judge to deliver Deposition into the Secretary's Office.

Secretary, with the pleadings in the Cause in which such Deposition shall be taken, and the said Judge shall certify thereon the parties attending, and the proof of due service of the Summons, if either party made Default; and Perjury in such Deposition shall be punishable as wilful Perjury in Courts *Perjury punishable. of Record in England* is punishable there.

And whereas it frequently happens that persons in this Island, expect Actions to be brought against them, but as such persons cannot as the Law stands at present, examine Witnesses going off this Island, until some Action or Suit is brought in this Court, and Plaintiffs take advantage of such Defendant or Defendants by delaying to bring their Actions until such Witnesses go off this Island: And whereas it frequently happens that Actions are intended to be commenced, in which Actions if commenced it would be necessary for the Defendant or Defendants to examine Witnesses who are extremely aged or sick, but the intended Plaintiff or Plaintiffs in such Actions defer bringing the same until such aged or sick Witness or Witnesses is or are dead, by which means Defendants are frequently deprived of the testimony of Witnesses or at least obliged to resort to a Court of *Equity* merely to perpetuate their testimony;

Therefore to prevent the inconvenience and injustice which might arise therefrom, Be it further enacted by the Authority aforesaid, That where any Person or Persons hath or have reason to believe that any Action or Actions will be brought against him, her, or them, such Person or Persons may examine any Witness or Witnesses going off this Island, or that is or are extremely aged or sick, in the same manner as he or they might do if such expected Action or Actions was or were already commenced, and the like Summons shall issue, and the like proceedings shall be thereon had as are herein-before directed, touching the examination of Witnesses going off this Island, aged or sick where any Action or Actions is or are commenced, and the Deposition or Depositions of such Witness or Witnesses, shall be returned into the Secretary's Office in the same manner, and be there filed, and be of the same force and effect as the Deposition of Witnesses going off this Island, aged or sick, taken in any Action or Actions actually commenced; And Perjury in such Deposition or Depositions, shall be punished in the same manner as Perjury in Depositions of Witnesses going off this Island taken in any Action or Actions actually commenced is hereby made punishable; And any Witness or Witnesses duly summoned and not attending to give their testimony where no Action is depending, shall be subject to the same fine, and liable to damages in the same manner as Witnesses neglecting or refusing to give evidence in Court.

And in causes depending in this Island, the examination of any Witness or Witnesses taken before any Chief or Lieutenant-Governor, or President of the Council, where there is no Lieutenant-Governor, or before any Judge of the *King's-Bench*, *Common-Pleas*, or *Exchequer*, in any of the *British West India* Islands, or before the Chief-Governor, or person in Command for the Time being, Mayor or other Chief Officer of any Town Corporate, or Chief Justice of any Court of *Record* in *Ireland*, or in any part of His Majesty's Dominions on the Continent of *America* (which examinations every such Chief, Lieutenant-Governor, or President, Judge, Person in Command for the Time being, Mayor, or other Chief Officer, or Chief Justice, are hereby authorised and empowered to take and administer Oaths for that purpose to the Witness or Witnesses examined before them respectively), shall be as good evidence as examinations duly taken in manner herein-before directed before a Judge of the Court of *Common-Pleas* hereby established, so as application be made to the Court or to a Judge in his Chambers, at least ten days before the second Court after the Declaration shall have been filed, for time to examine such absent Witness or Witnesses, and the application be supported by such Affidavit filed in the Secretary's

Clause XXXIV.
Testimony of Witnesses going off the Island, aged, or sick, perpetuated without Action.

Perjury punishable.

Defaulters fineable.

Clause XXXV.
Examination of Witnesses taken before any Chief or Lieutenant Governor, &c. in any of the *British West India* Islands, *Ireland*, or *America*, declared good evidence, so as application be made to the Court, or a Judge, ten days before the second Court after filing the Declaration for time to examine such, and supported by Affidavit.*

* See Stat. 5., Geo. II. Chap. 7. and Stat. 5. and 6. Will. IV. Chap. 62.
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- Office, as shall be judged good and sufficient cause for granting the same ; and so as notice of such motion and copies of the affidavits be delivered to the opposite party, his Counsel or Attorney, at least Forty-eight hours previous to such application for time as aforesaid ; And in case the party so to be served with such Notice shall be off the Island, and have no Counsel or Attorney therein, then the like Notice shall be affixed on the door of the Court House, and the Court or the Judge to whom the application shall be made is hereby respectively authorised and empowered to grant such time, and to appoint the particular day and place in which such examination shall be taken within the Island, Town and Place, where or near about which such absent Witness resides, and the Notice to be given to the opposite party or his Counsel, if none such be then present, and also to appoint the time in which the party shall be bound to have such examination returned, according to the distance and other circumstances, that the Cause may go to trial or be dismissed, saving always to the Court the power of enlarging such time on good cause shewn ; Provided always, That every Deposition so taken, shall express the addition and particular place of abode of each Witness, and shall be subscribed by the respective Witness or Witnesses making the same, and shall be certified as duly sworn to, under the Hand and Public or Corporate Seal, or other Seal of Office, if any such used, and if none such, then under the Hand and Private Seal of the person taking such Deposition, and every such Deposition after being read in Court, shall be filed and left in the Secretary's Office of this Island, and be there recorded at length among the proceedings in that cause, and a copy of the record shall be equal evidence with the original, and Perjury in such last mentioned Depositions shall be punishable in this Island, if the Deponent can be taken therein, as wilful Perjury in Courts of *Record* in *England* there is punishable.
- And be it enacted by the Authority aforesaid, That in all cases where Depositions on oath are herein before or herein-after directed or allowed to be made, the solemn affirmation of any of the persons called Quakers shall and may be taken and certified in the like manner, and shall be admitted in evidence ; and if any person shall be guilty of falsely and wilfully affirming any matter or thing in such affirmation, which if the same had been duly sworn would have amounted to wilful and corrupt Perjury, every person so offending, and being thereof lawfully convicted, shall incur the penalties and forfeitures incurred by wilful Perjury in Courts of *Record* in *England*.
- And be it further enacted by the Authority aforesaid, That in all Suits now depending or hereafter to be brought into the said Court, by or on behalf of His Majesty, his Heirs, or Successors, he or they shall and may prove his or their Debts and Accounts, and examine his and their Witnesses by affidavit or affirmation, in like manner as any subject or subjects is or are impowered to do by this Act.
- And be it further enacted, by the Authority aforesaid, That Conveyances and Deeds, Letters of Attorney, and other Powers in Writing, made in places out of this Island, the due execution of which shall be proved by one or more of the subscribing Witnesses, by Affidavit sworn before the Mayor, or other Chief Officer of any City or Town corporate within the Kingdoms of Great Britain or Ireland, and attested under his Hand and the Public Seal of such City or Town corporate, or under the Hand and Seal of any Chief Governor, or Magistrate, Lieutenant-Governor, or President of the Council, or Chief or Senior Justice of any Court of Record of any Colony in His Majesty's Dominions, and annexed to the thing proved, shall be deemed, adjudged, and taken to be as sufficiently proved, as if the same Witness or Witnesses were personally present and made such proof before one of the Justices of the Court hereby established, provided such Deeds or
- Notice of motion and copies of Affidavits to be delivered to the opposite party 48 hours previous to the application.**
In absence of party, notice to be affixed on the Court-House Door.
Judge to appoint day and place in which Examination to take place.
- Proviso.**
 Depositions to express addition and place of abode of Witnesses, and be certified under Hand and Seal.
- Depositions to be filed and recorded in the Secretary's Office,**
- Perjury punishable.**
- Clause XXXVI.**
Affirmation of Quakers allowed.
- Clause XXXVII.**
In Suits on behalf of the King, Affidavits or Affirmations may be taken in like manner.
- Clause XXXVIII.**
Deeds, &c. made off the Island, how to be proved.*
- Proviso.**
 Deeds or Letters of Attorney concerning Lands or Tene-

* See ante, No. 2, Clause I.

Letters of Attorney, if concerning Lands, or Tenements, shall have been duly recorded in the Register's Office of *Grenada*, as the Law requires.

And when Procurations are made in foreign countries, where Seals are not used to be affixed to such Acts, but where the practice is to sign the same before or with one or more Notaries, with whom such original Procurations remain lodged, and a notarial copy or expedition only is delivered to the Party or Parties ;

Be it enacted, by the Authority aforesaid, That every such Notarial copy of a Procuration, certified according to the usage of the country where the same is made, shall and may be received and recorded in the Register's Office of *Grenada*, and shall be as valid and effectual as original Letters of Attorney coming from any part of His Majesty's Dominions, and proved and attested in manner herein-before directed ; and all such Letters of Attorney and Notarial Expeditions, after the same have been recorded, or Office copies thereof, duly certified by the Register or his Deputy, shall be admitted in evidence.

ments, to be recorded in the Register's Office.

Preamble.

Clause XXXIX.

Notarial Copies of Procurations made in Foreign Countries, may be recorded in the Register's Office, and admitted in evidence.

And be it further enacted by the Authority aforesaid, That Probates of Wills in the usual form, under the Seal of the Prerogative Court of Canterbury, or under the Seal of any other Court authorized to grant Probates of Wills in His Majesty's Dominions herein-before mentioned, shall be allowed and taken *prima facie*, as good proof* of such Wills in all Courts of Law and Equity ; and such Probates, with the copies of the Wills thereto annexed, shall be recorded in the Secretary's Office of this Island ; And if relating to Lands, Tenements, or other real Estate within these Islands, they shall be also recorded in the Register's Office of these Islands ; and copies from either of the said Offices attested by the Secretary or Register, or their lawful Deputies respectively, shall be admitted in evidence† as the original Probates in all the Courts aforesaid, saving always the right of all and every Person to invalidate, disprove, or set aside the same Wills by lawful or equitable Causes, as though this Act had not been made.

Clause XL.

Probates of Wills under the Seal of the Prerogative Court of Canterbury, &c. *prima facie* proof of such Wills, and shall be recorded in the Secretary's Office.

And if relating to real Estate, to be also recorded in the Register's Office. Copies attested by Secretary or Register to be admitted in evidence.

Vide Act, No. 63.

And be it enacted and ordained by the Authority aforesaid, That where Judgment by Default shall be obtained against any absent Person or Persons who shall afterwards return to this Island, and make it appear by *audita querela* by him brought within the space of Two Years after Judgment obtained, that more money in his or their absence hath been levied and paid to the Plaintiff by virtue of any Execution, than was actually and *bona fide* due, the overplus shall be refunded by the Plaintiff who obtained such Judgment ; and upon refusal to make such repayment, the Sum to be refunded, with costs, as in other cases, shall be levied by virtue of an Execution, as herein-after directed.

Clause XLI.

Judgments by Default against absent persons, may be enquired into by *audita querela*, to be brought within two years, and if more money levied than due, the overplus to be paid by Plaintiff.

And be it further enacted by the Authority aforesaid, That where Judgment shall pass by Default against any Infant or Person being *non compos mentis*, all such Judgments obtained against such Persons, may be set aside in the same Court by *Audita Querela* for any Sum, or by Writ of Error in the Court of Errors in this Island, where the Sum is sufficient to maintain a Writ of Error, at any time within Five Years after such disability removed, except in such cases where Infancy by the Laws of *England* is not assignable for Error ; in which cases, no advantage shall be taken of Infancy after Judgment, either by *Audita Querela* or Error.

Clause XLII.

Judgments by Default against infant, or persons *non compos mentis*, may be set aside by *Audita Querela*, or Writ of Error.

And whereas it is just that Interest should be allowed in certain cases on money advanced, although there be no specific contract to allow such Interest, and where there are sterling debts, it is proper to prescribe the manner in which such sterling debts shall be reduced into the current money of these Islands, and to declare in what case a Plaintiff shall be entitled to recover Factorage or Commission from a Defendant ;

Preamble.

Be it enacted by the Authority aforesaid, That for all Monies lent and advanced to or paid for the use of any Inhabitant of these Islands, by per-

Clause XLIII.

Interest at five per

* See No. 2. Clause 2.

† See No. 2. Clause 4.

Cent. allowed on Monies lent, advanced, or paid for inhabitants by persons residing in England, Ireland, or America.

Persons residing out of the Island and paying Factorage, entitled to five per Cent. Factorage from Defendants.

Jury in assessing damages to allow Interest and Factorage against Defendants.
Interest and Factorage allowed on Debts proved before the Justice only.

Proviso.
No Factorage to be allowed on Goods sold, or Bills of Exchange.

Ten per Cent. Damages allowed on Bills of Exchange.†

Clause XLIV.

Mutual Debts may be set off against each other.

Upon giving six days notice.

Clause XLV.‡

Verdicts to be entered on the back of declarations, and recorded in the Secretary's Book.
Special Verdicts to be drawn, and signed by Counsel, and found if required.

sons residing in *Great Britain, Ireland, or any of His Majesty's Dominions in North America*, Interest* at and after the rate of Five Pounds *per Centum per Annum*, shall and may be charged and allowed from the respective times of lending, advancing, or paying the same, and where the Sum of Money so lent, advanced, or paid shall appear to have been Sterling Money, the same shall and may be reduced into the Current Money of these Islands at the best Exchange then governing therein; and all Persons residing out of these Islands, and actually paying Commission or Factorage for receiving and remitting any Monies due to them in these Islands, shall be entitled to charge and receive from the Defendant Five Pounds *per Centum* for such Commission or Factorage; and the Jury shall and may, in assessing damage in any of the above-mentioned Cases, allow Interest, reduce Sterling into Current Money, and also allow Factorage against Defendants, according to the rates and in the manner herein-before directed; and in all such Cases where Judgment shall go by Default, and the Plaintiff be obliged to prove his Debt before the Justices only, as herein-before directed, such Justices shall and may in like manner and according to the rates aforesaid allow Interest, reduce Sterling into Current Money, and also allow Factorage against Defendants before Execution shall issue; Provided always, That no such Factorage shall be allowed where the debt arose by a Sale of any Goods sold in this Island, nor shall such Factorage be allowed upon protested Bills of Exchange, but in Actions to be brought upon such Bills the Jury shall find what is due for Principal and for Interest distinctly, which Interest shall be computed to the day of giving their verdict, and shall assess the Damages of ten *per cent.* on the principal Sum, and Judgment shall be entered for the amount of the several Sums so found due, with Costs of Suit, and with further Interest on the principal Sum only, from the day on which such Verdict shall have been given, until payment of such Principal.

And be it further enacted by the Authority aforesaid, That where there are mutual Debts between any Plaintiff or Plaintiffs and Defendant or Defendants, or if either party sue or be sued as Executors or Administrators, where there are mutual Debts between the Testator or Intestate and either party, one Debt may be set against the other, and such matters may be given in evidence upon the general issue, or pleaded in Bar as the nature of the Case shall require, notwithstanding that such Debts are deemed in Law to be of a different nature, so as where any such Debt of the Plaintiff, his Testator or Intestate is intended to be insisted on in evidence, Notice shall be given in writing to the Plaintiff or Plaintiffs, or his, her, or their Counsel or Attorney, six days before the trial of the Cause, inclusive of the day of serving such Notice of the particular Sum or Debt, so intended to be insisted on, and upon what account it became due or otherwise, such matters shall not be allowed in evidence upon such general issue; and to prevent all subsequent disputes that may arise, touching the amount allowed upon such sett-off, the Jury shall, in giving their Verdict, specify the particulars and amount of all such matters as shall have been allowed by them in settling such Verdict.

And be it enacted, by the Authority aforesaid, that all Verdicts of Jurors shall be entered briefly on the back of the Declaration, and recorded in the Secretary's book, immediately after the entry of the pleadings in the Cause, and where a special Verdict is found in any Cause, one Counsel for the Plaintiff, and another for the Defendant, shall draw up the Notes of such special Verdict in Court, and sign the same; and if the Counsel of either party refuse to sign such Notes, the same shall be drawn up *ex parte*, and the Court shall settle the same upon the facts found by the Jury, in all Cases where the Counsel differ, or where there shall be other occasion so to do; and if either party requires a special Verdict, and the Court shall

* Sec No. 1. Clause 2.

† Sec No. 1. Clause 4.

‡ See No. 32. Clause 2.

think proper to direct the Jury to find specially, the Jury is hereby required to find specially, and such request and direction shall be entered in the Secretary's book, and if a Jury being directed by the Court to find specially, shall find generally, it shall be good Cause for a new trial if prayed, and a new trial for that Cause shall be granted accordingly, without Costs, on motion before Judgment entered up, and such motion shall be minuted in the Secretary's Book.

Court directing a special Verdict, and Jury finding generally, good Cause for a new Trial.

And be it enacted by the Authority aforesaid, That where any special matter is pleaded, special verdict found, or demurrer joined, three Justices of the Court, whereof the Chief Justice, if on the Island, and well, and no party, shall be one; but if he shall be sick, absent, or a party, then any three of such Justices, not being parties, shall and may, and are hereby empowered to hear and determine the same on such days as shall be appointed by the Court; and if it shall happen that there shall not be three Justices who are not parties, such special matter, special verdict or demurrer, shall be heard and determined by such of them as are not, or is not party or parties, whether two or one only; and if a sufficient number of Justices shall not appear at the day appointed, to hear the said verdict, demurrer or special matter argued, the Cause shall not be discontinued, but any one Justice may from time to time adjourn the Court, appoint any other day or days for hearing the said verdict, demurrer or special matter argued, and for giving Judgment thereon: and in Case no one Justice shall appear at the day, then the Cause shall not be discontinued for want of adjournment, but the Chief Justice, if no party, or the next Senior Justice, if the Chief Justice be a party, may, on application of the Plaintiff's or Defendant's Counsel, appoint, by order under his Hand, another day or days for hearing and determining the same, so as there be at least six days between the issuing such order, and the time therein appointed, a copy of which order shall be served on the adverse party or his Counsel, or left at either of their places of abode, at least three days before the day by such order appointed.

Clause XLVI.
Courts for hearing special Pleadings to consist of three Judges. *

Cause not discontinued by absence of Justices.

But the Chief Justice may appoint another day.

And be it also enacted, by the Authority aforesaid, That upon every adjournment, or new day fixed for the holding of any Court of special pleadings, the Provost-Marshall, by himself, or his lawful Deputy, is hereby required to leave a Notice, in writing, at the Dwelling House of every Judge who was absent at the time of adjournment of such Court, or fixing of the particular day to which the said Court stands adjourned, or fixed at least forty-eight hours before the time appointed for holding the same, and in case the Provost Marshal shall neglect to leave such Notice, in writing, he shall be fined in the sum of twenty pounds, which fine shall be imposed by the Judges in Court, and the Provost Marshal shall stand committed until he pay the fine to the public uses of this Island.

Clause XLVII.
Marshal to give notice of adjournment, or a new day fixed for special pleadings to absent Justices.

Twenty Pounds Penalty on Marshal neglecting to give notice.

And be it further enacted by the Authority aforesaid, that the death of either party between the Verdict and Judgment, shall not be alleged for Error; but if the death of either party be suggested in the Secretary's Court Book at any time before Judgment, and the contrary be insisted on, the Court shall order the fact to be tried by a Jury: and if such death be found, the proceedings shall abate, and Judgment shall be stayed.

Clause XLVIII.†
Death of Parties between Verdict and Judgment in Error.‡
If Death suggested and found by a Jury, the Proceedings to abate.

And be it also enacted, by the Authority aforesaid, that if a Plaintiff in any action happen to die, after an interlocutory judgment, and before a final Judgment had therein, the said Action shall not abate by reason of such death, if such Action might be originally prosecuted or maintained by the Executors or Administrators of such Plaintiff; and if the Defendant in any Action die after such interlocutory Judgment, and before final Judgment had therein, the said Action shall not abate by reason of such death, if such Action might be originally prosecuted or maintained against the Executors

Clause XLIX.‡
Death of Plaintiff or Defendant between Interlocutory and final Judgment, no abatement.‡

* See No. 30. Clause 4.
: See note, Clause 17.

† See Stat. 17. Car. 2. Cap. 8.
‡ See 8 and 9. William III. Cap. 11. § 6

or Administrators of such Defendant; and the Plaintiff, or in case of his death, his Executors or Administrators, shall and may have a *Scire Facias* against the Defendant, or in case of his death, against his Executors or Administrators, to shew Cause why Damages in such Action should not be assessed and recovered by him or them; and if such Defendant, his Executors or Administrators, shall appear at the return of such Writ as before directed in Case of a *Scire Facias*, and shall not shew or allege any matters sufficient to arrest the final Judgment, or shall make Default, the damages shall be enquired of as herein-before directed on Judgments by Default, in cases where damages only are recoverable, and final Judgment shall be therein given for the Plaintiff, his Executors or Administrators, prosecuting such Writ or Writs of *Scire Facias* against the Defendant, his Executors or Administrators respectively,

And be it enacted, by the Authority aforesaid, that from and after the date of this Act, where Judgment shall be entered by confession, "*nihil dicit*," or "*non sum informatus*," the Counsel confessing such Judgment, shall at the same time leave his Warrant of Attorney in the Secretary's Office of this Island, in order to be recorded, or, in Default thereof, in case it shall appear from such Warrant of Attorney, that such Judgment was irregularly confessed, such Judgment, and the Execution, if any issued thereupon, shall be of no force or effect whatever; and the said Secretary or his Deputy is hereby required to give to such Counsel a Receipt for such Warrant of Attorney, mentioning the day, hour and minute he received the same, and to record the said Warrant of Attorney, for all which he shall receive the further Sum of four Shillings and Sixpence current Money, and no more, to be paid by the Plaintiff or Plaintiffs in the said Execution, and to be allowed in Costs; and in Case such Secretary or his Deputy, shall refuse or neglect to receive such Warrant of Attorney, or to give such receipt for the same as is hereby required, or shall neglect or refuse to record such Warrant of Attorney within six weeks at furthest, after the same shall have been left with him, the said fee being paid or tendered to him, such Secretary or his Deputy, for each offence, shall forfeit the Sum of one hundred pounds like money, to the use of the Party grieved, his, her, or their Executors, or Administrators, to be recovered with treble Costs, in any Court of Record of these Islands by Action of Debt, or Case, Bill, Plaint, or Information to be brought within two years next after such Offences committed, wherein no Essoin, Protection, or Wager of Law shall be allowed; Provided nevertheless, that the Party grieved, his, her, or their Executors or Administrators shall be at liberty to take his, her or their remedy against the Secretary, Deputy Secretary, and their Securities for any further damages sustained by reason of such refusal or neglect, any thing herein contained to the contrary notwithstanding.

And be it also enacted, that after the Verdict given for the Plaintiff, the Defendant shall have time until the next Court to move an arrest of Judgment, provided Notice of such motion be given four days before the sitting of the Court, in like manner as Notice is directed to be given of special Pleas, but if no such Notice given, the Plaintiff shall have leave to sign Judgment, and take out Execution thereon, on the Saturday preceding the Sitting of the Court, or at any time afterwards.

And be it also further enacted, by the Authority aforesaid, that in Actions to be brought on Bonds, or Bills penal, conditioned for payment of lesser Sums of Money, the Defendant may plead Payment generally, according to the condition, setting forth the condition in such Plea, and need not plead precisely at or before the day, and thereupon the Jury shall inquire whether any thing, and how much, is due, and if nothing due, they shall find for the Defendant; and if any thing be due, they shall inquire and settle what is due distinctly for principal and interest, and in such Case Judgment shall go for the penalty, to remain cautionary for the payment

Scire Facias may be brought and Damages assessed.

Clause I.
Warrants to confess Judgments to be recorded in the Secretary's Office; in Default thereof, Judgment to be of no force.

Secretary to give Receipts for such Warrant.

One Hundred Pounds Penalty on Secretary refusing or neglecting to receive and record Warrants of Attorney.

Proviso.
Party allowed his remedy against Secretary for further Damages.

Clause LI.
Defendant allowed time until next Court, after Verdict to move in Arrest of Judgment.
Four Days notice to be given. In Default of notice, Plaintiff to sign Judgment and take out Execution, the Saturday before the Court.

Clause LII.
In Actions on Bonds, or Bills penal, Defendant may plead Payment generally, and need not plead precisely. If nothing due, Jury to find for Defendant.
Jury to settle what is due for principal and interest, Judgment for penalty to

of the whole Sum that shall be then due for principal and interest, with subsequent interest upon the whole principal sum then due from the Day of the Verdict until payment; and where Judgments are entered for penalties by Confession, the same shall remain cautionary for securing the sum then due, with subsequent interest on the principal as aforesaid, to be proved by affidavit as herein-after directed; * but if Judgment by Default or by Confession be general, and the Execution issue generally for the penalty, without specifying the Sum really due, the Defendant by *Audita Querela*, or by motion in Court, or to a Judge in his Chambers, may have the Sum really due settled by order, and no more than that sum, interest and Costs shall be levied for; and in such Judgments for penalties where the Judgment or Execution does not specify the true sum due, the Plaintiff shall cause it to be endorsed on the Execution, or in Default thereof, if more than due be levied, the levy fees for the surplus shall be paid out of the Plaintiff's pocket; and where Restitution shall be awarded by a Judge out of Court, he is hereby authorized to stay the surplus by order in the Marshal's hands, until the Court shall meet and make further order therein; and in such proceedings before a Judge in his Chamber, a Summons shall go to require the Plaintiff's attendance; and if no attendance on a second Summons duly proved to have been served, the Judge may proceed *ex parte*; Provided always, That in case there shall be no such Indorsement made upon such Execution, as is hereby directed, and the Provost-Marshal or his Deputy shall levy for such Penalty, yet the said Marshal or his Deputy shall not receive, nor take from such Defendant or Defendants, more levy fees than what shall be actually due for principal, interest and costs on such Execution; and a penalty of treble the sum by him received, over and above such fees, to be paid to such Defendant or Defendants, which may be recovered before any one of the Judges of the Court of *Common Pleas* in this Island, as herein-before directed, touching the forfeiture of the Provost-Marshal or his Deputy, for non-payment of Monies received by him on Executions, or for neglecting to receive the same after the same shall become due, any law, custom or usage to the contrary notwithstanding.

And be it further enacted, by the Authority aforesaid, That in all Actions to be brought on Bonds, or for any penalty for non-performance of Covenants or Agreements in any Indenture, Deed or Writing contained, the Plaintiff or Plaintiffs may assign as many Breaches as he or they shall think fit, and the Jury upon Trial of such Action or Actions, shall and may assess not only such damages and costs of Suit as have heretofore been usually done in such Cases, but also damages for such of the said Breaches so to be assigned, as shall be found for the Plaintiff upon the trial of the Issue, and that the like Judgment shall be entered upon, such Verdict as heretofore hath been usually done in such like Actions; and if Judgment shall be given for the Plaintiff, on a Demurrer, or by Confession or Default, the Plaintiff may suggest on the Record, as many Breaches of the Covenants and Agreements as he shall think fit; upon which shall issue a Writ of Summons to be formed for that purpose, reciting the Judgment and Breaches briefly, and requiring the Defendant to appear at the next Court, to attend the assessing of damages on the several Breaches, at which Court the Jury shall inquire of, and assess such damages; and if the Defendant attend he may examine Witnesses concerning the Breaches on his own behalf; but if he make Default to attend, the same will be inquired of by the Jury at such next Court without further delay, and such Summons shall be served by the Marshal as Summonses in common Actions, and in case the Defendant or Defendants after such Judgment entered, and before any Execution executed, shall pay into Court to the use of the Plaintiff or Plaintiffs, or his or their Executors or Administrators, such damages so to be assessed by reason of all or any of the Breaches of such Covenants,

remain cautionary. Judgments entered for penalties, by Confession to remain cautionary for securing Sums due, with subsequent interest, to be proved by Affidavit.

If Judgment by Default, or Confession be general, and Execution issue generally for Penalty, Defendant may have Sum due settled by order, and levy to be made accordingly.

If Execution does not specify Sum due, Plaintiff to Indorse it on Execution; and if more than due be levied, Plaintiff to pay levy Fees for Surplus.

Judge awarding Restitution, to stay Surplus in the Marshal's hands. Proceedings before a Judge in his chambers.

Proviso.

In case of no Indorsement on Execution, and levy for penalty, Marshal to take from Defendant no more levy Fees, than what shall be due for principal, interest and Costs, under Penalty of treble the Sum received, to be recovered before any of the Judges.

Clause LIII.

In Actions to be brought on Bonds or for Penalty for non-performance of Covenant or Agreement, Plaintiff may assign as many Breaches as he shall think fit, and Jury may assess Damages and Costs as heretofore, and also Damages for Breaches found for Plaintiff, and the usual Judgment to be entered. If Judgment given for Plaintiff on Demurrer, or by Confession, or Default, he may suggest on the Record as many Breaches as he shall think fit.

Summons to issue for Defendant to attend Assessment of Damages.

Jury to assess Damages.

Defendant attending, allowed to examine Witnesses.

But making default, Damages to be assessed without further delay. Summons served by

* See Clause 67, as to Affidavit.

Marshall Defendant
paying into Court
Damages assessed
Stay of Execution
to be entered.
If by reason of Ex-
ecution executed,
Plaintiff be fully
paid, the Body and
Effects of Defendant
discharged.
But Judgment to
remain as a further
Security to answer
Damages for further
Breach of Cove-
nants.
Upon which Plain-
tiff may have a *Scire
Facias* suggesting
other Breaches.

And to summon
Defendant to shew
Cause why Execu-
tion should not be
had.

The like Proceed-
ings thereon, as
were in the Action
of Debt.

On payment of fu-
ture Damages, all
further Proceedings
again to be stayed,
and so *toties quoties*.

Clause LIV.

Payments after
Judgment, plead-
able to a *Scire Facias*
or Action of Debt
on a Judgment.

Clause LV.

Payments made ge-
nerally how to be
applied.

Clause LVI.

Secretary to keep a
separate Book for
Judgments, to be
called a Docquet
Book of Judgments,
and to be kept with
a double Alphabet,
under Defendants
and Plaintiffs
names.
Vide Act, No. 32,
Clause 2.

Secretary failing to
keep such Book,
fineable at the dis-
cretion of the Court.

together with the costs of Suit, a stay of Execution of the said Judgment shall be entered upon record; or if by reason of any Execution executed, the Plaintiff or Plaintiffs, or his or their Executors or Administrators, shall be fully paid or satisfied all such damages so to be assessed, together with his or their costs of Suit, and all reasonable charges and expences for executing the said Execution, the body, lands, or goods of the Defendant shall be thereupon forthwith discharged from the said Execution, which shall likewise be entered upon record; but notwithstanding in each Case such Judgment shall remain, continue and be as a further security to answer to the Plaintiff or Plaintiffs, and his or their Executors or Administrators, such damages as shall or may be sustained for further Breach of any Covenant or Covenants in the same Indenture, Deed or Writing contained, upon which the Plaintiff or Plaintiffs may have a *Scire Facias* upon the Judgment against the Defendant, or against his Heirs, Terre Tenants, or his Executors or Administrators, suggesting other Breaches of the said Covenants or Agreements, to summon him or them respectively to shew cause why Execution shall not be had or awarded upon the said Judgment, upon which there shall be had the like proceedings as were in the Action of Debt upon the said Bond or Obligation, or penal Sum for assessing the damages upon Trials of Issue, joined upon such Breaches or Inquiry thereof, upon a Writ to be awarded in manner as aforesaid: and that on payment or satisfaction in manner as aforesaid of such further costs, damages and charges as aforesaid, all further proceedings on the said Judgment are again to be stayed, and so *toties quoties*; and the Defendant, his body, lands or goods, shall be discharged out of Execution as aforesaid.

And be it also enacted, by the Authority aforesaid, That payments after Judgment, shall and may be pleadable to a *Scire Facias*, or to an Action of Debt on a Judgment, as the same are pleadable in England; and if the Defendant shall plead such a Plea, the Jury shall and may enquire and settle what remains due; And in order to fix a certain rule for the application of payments made generally, and without a receipt, or other evidence specifying such application,

Be it enacted by the Authority aforesaid, that such payments shall be adjudged to have been made, and shall be applied as follows, *viz.*, first towards the simple Contract, if any there were at the time of such payment, as far as necessary to discharge the same; but if there were no simple Contract, or the payment exceed the amount thereof, such payment, or the surplus shall be applied towards the Bond, or other specialty, and if there were a Judgment or other Debt of Record at the time of such payment, the last application shall be towards such Judgment.

And be it further enacted, by the Authority aforesaid, that the Secretary or his Deputy shall keep separate, a Book for the entry of Judgments, which shall be called a Docquet Book of Judgments, and shall be kept alphabetically, with a double alphabet, after the manner following, *viz.*
 " Under each letter of the alphabet, shall be set down, the Surnames of all
 " Defendants, beginning with that Letter followed by their respective
 " Christian Names, against whom Judgment shall have been obtained, and
 " opposite thereto, the Names of the Plaintiffs, who shall have obtained such
 " Judgments, and in like manner, under each letter of the alphabet shall be
 " set down, the Surnames of all Plaintiffs beginning with that letter who
 " shall have obtained Judgment, followed by their respective Christian
 " Names, and opposite thereto, the Names of the Defendants, against whom
 " such Plaintiffs shall have obtained Judgments, with figures referring to
 " the folio of the Book where the Judgment is recorded, and where the
 " amount of each Judgment shall be specified, with the time when the same
 " was obtained," that all persons may know how to search for Judgments; and if the Secretary or his Deputy shall fail to keep such Book in manner hereby directed, or shall refuse to shew the same to any person demanding

the same, and tendering three shillings for a search to be made therein, he shall be fineable at the discretion of the Court.

And be it, and it is hereby enacted, by the Authority aforesaid, That in Cases not herein or hereby sufficiently provided for, it shall be in the power of the Justices of the Court of *Common Pleas* hereby established, or the majority of them, to make and establish general rules of practice to be observed in the same Court, and to approve or direct the forms of process issuing out of the same Court as nearly as may be conformable to the practice of the Court of *Common Pleas* in *England* in the like Cases, all which general Rules shall be entered at large in a Book for that purpose to be kept by the Secretary, and constantly to be brought into Court.

Clause LVII.

Justices empowered to make Rules of Practice,

To be entered in a Book to be kept by the Secretary, and carried constantly into Court.

And be it enacted and ordained, by the Authority aforesaid, That the Plaintiffs may take out Execution at any time after Judgment obtained, which Execution shall bear Teste in the name of the Chief Justice, or, in case of his death or absence from the Island, or being a Party in the Suit, in the name of the next Senior Justice on the Island, not being a Party, and shall be signed by the Secretary or his lawful Deputy, in the Form following, viz.,

Clause LVIII.

Plaintiff may take out Execution at any time after Judgment obtained.

"George the Third, by the Grace of God, of *Great Britain, France, and Ireland*, King, Defender of the Faith, and so forth: To the Provost-Marshal of *Grenada*, or his lawful Deputy, Greeting: Whereas at our Court of *Common-Pleas*, held for this Island (day of the month) in the year Judgment was obtained against C. D. at the suit of A. B. for the sum of Current Money of this Island (as the case shall require), and if the Action was for Sterling Money, it shall be for Current Money of this Island, for the Value in Exchange of Sterling Money of *Great Britain*; and if it be on a penalty for payment of less, it shall be for the penalty of for securing payment for the Sum of

Form of Execution. Vide Act, No. 137.

with Interest, at the Rate of per centum, per annum, from the day of in the year of our Lord with costs; We do therefore require and command you to levy the same with costs taxed hereon, and all subsequent costs of this Execution, of the Goods and Chattels, Lands, Tenements, Hereditaments, Rent charges and annuities belonging to the said C. D. and debts to the said C. D. in the manner therein-after directed and appointed by virtue of a certain Act of these Islands in that case made and provided, and in case you cannot immediately find sufficient Goods and Chattels, Lands, Tenements, Hereditaments, Rent charges, annuities and debts of the same C. D. you are to take the body of the same C. D., and him safely to keep until the said Judgment be satisfied, and of your proceedings therein you are to make Return within Thirty-days from the date of this our writ, into the Secretary's Office of this Island, and hereof fail not, as you will answer the contrary at your peril; witness E. F. our Justice of our said Court, the day of in the Year of our Reign, and the Year of our Lord God."

Upon which Execution, if the Judgment be for a penal Sum, and a lesser Sum be due, levy shall be made only for such lesser Sum * as shall be specified in the Body of, or Indorsement upon the Execution, with the Interest (if any) and the Costs, taxed with the subsequent Costs of the Execution, but no Fees of levy, in any Case, shall be paid for any more of the Plaintiff's Demand than he shall actually receive after such Execution delivered to the Marshal, or his Deputy, and the Marshal, or his Deputy, shall proceed to a levy in Pursuance of the said Execution, unless prevented by a Note in Writing from the Plaintiff, his Counsel or his Attorney, in which Case, the Marshal, or his Deputy, shall not proceed to levy the same until further Orders in Writing from the Plaintiff, his Counsel, or Attorney;

Upon Execution for a Penal Sum and a lesser Sum due, levy to be made only for the lesser Sum.

No Fees of Levy in any Case to be paid for more than Plaintiff shall actually receive after Execution delivered to Marshal. Marshal to proceed to levy, unless prevented by Note in Writing.

* See Clauses 52 and 67.

If Execution not stayed, or being stayed, and orders afterwards given, Marshal to levy first on Produce,

And for want thereof, on Household Furniture. Vessels employed as Droghers or Coasters, and Produce found on board them, may be levied on when at anchor.

Produce taken on board Vessels not belonging to Defendant, to be brought therein to the Town of Saint George for usual Freight, and Marshal answerable for such Freight.

For want of Goods and Chattels, levy to be made on Cattle, Horses, and Plantation Utensils; and for want thereof, Levy to be made on Lands and Tenements to be shewn by Defendant.

Defendant neglecting or refusing to shew the same, Levy to be made on such Part as shall be sufficient to satisfy Debt and Costs.

Marshal to give seven days notice of levy.

Marshal to dispose of Effects levied on. For want of Lands and Tenements, Levy to be made on Rent Charges, or Annuities.

After Levy, Annuities or Rent Charges payable to Plaintiff.

Lands and Tenements on which Annuities are secured, made liable thereto, in the hands of subsequent Purchasers.

For want of Annuities and Rent Charges, Marshal to levy on Debts.

And if such Execution shall not be stayed in Manner aforesaid, or having been stayed, Orders shall be given by the Plaintiff, his Counsel, or Attorney, to proceed thereupon, the Marshal, or his Deputy, shall execute the same in manner following: That is to say, in the first place, by making levy on Coffee, Cocoa, Cotton, Ginger, Sugar, Rum, or any other Commodities of the Growth or Manufacture of this Island, being the Goods and Chattels of the Defendant, and for want of such Goods and Chattels sufficient to satisfy the same Judgment, then the Marshal, or his Deputy shall levy the same on the Household Furniture, Plate, and other Goods of the Defendant, and it is hereby declared, that all Vessels used in going about this Island, or amongst the Grenadines, as Droghers, or Coasters belonging to any Defendant in Execution, and all Goods of the growth, produce and manufacture of these Islands belonging to such Defendant, found on Board any such Vessel (whether such Vessel belongs to the Defendant or to any other person,) shall and may be levied upon, seized, and taken into Custody by the Marshal or Deputy-Marshal, as long as such Vessel can be found at anchor in any of the Bays, Roads, or Harbours of Grenada, or of any of the Grenadines depending thereon; And where any such produce shall be taken on board of a Vessel not belonging to the Defendant, the Marshal, or Deputy-Marshal, shall be answerable to the Owner of such Vessel for the Freight of such Goods, and the Master or Person having Charge of such Vessel, shall, on request of the Marshal or Deputy-Marshal, or Persons executing the Writ, bring the said Goods to the Town of Saint George, for the usual and customary Freight; and for want of such Goods and Chattels sufficient to satisfy the same Judgment, then on the Defendant's Cattle, Horses, and Plantation Utensils; and for want of such last mentioned Goods and Effects, sufficient to satisfy the same Judgment, then upon such sufficient part of the Lands, Tenements, and Hereditaments of the Defendant, as shall be shewn unto him by the said Defendant, if he or she think fit to attend; but in Case such Defendant shall refuse or neglect to be present, the said Marshal or his Deputy is to levy on such part of his or her Lands, Tenements, and Hereditaments, as shall be sufficient to satisfy the Debt with Costs; And when the Levy is to be made on Lands or Tenements only, the Marshal or his Deputy, shall give Seven Days previous Notice at least to the Defendant in person, or by leaving the same at his place of abode, of the time when he intends to make such Levy; And the Marshal, or his Deputy, is to dispose of all Effects levied on in Manner and Form hereinafter directed; And for want of such Lands and Tenements, or Hereditaments, then the Marshal shall levy the same on the Rent Charges, or Annuities of the Defendant by leaving a Copy of the Execution, with the Person or Persons liable to pay the same, his, her, or their Attorneys or Agents, with an Indorsement thereon under his Hand, importing the Levy and the Day when the same shall be made, which shall be likewise indorsed on the original Execution, or annexed in Writing thereto, if there should not be room to indorse it upon such Execution; after which last mentioned Levy, the same Annuity or Rent Charges, shall become payable to the Plaintiff or Plaintiffs, his, her, or their Executors, Administrators, or Assigns, by the Person liable to pay the same to the Defendant until full satisfaction of the Execution so to be levied; And all Lands and Tenements on which any such Annuity or Rent Charge is secured, shall be liable thereto in the hands of all subsequent Purchasers of such Lands and Tenements, who shall be obliged to pay such Annuity or Charge to the Plaintiff or Plaintiffs in the Execution so to be levied, in the like Manner as the same was payable to the Defendant or Defendants in such Execution, until the said Execution, and the Costs thereof, shall be fully satisfied: And for Want of such Annuities and Rent Charges, sufficient to satisfy the said Judgment, then the Marshal, or his Deputy, shall levy * the same on the

* As to Place of Levy on Debts, see Clause 60.

Debts due to the Defendant or Defendants, by leaving with the Debtor, or at his Place of Abode, a Copy of the Execution, with an Indorsement thereon, signifying such Levy, and specifying the time of making the same, which shall bind the Debts thereby levied on, until the Judgment shall be satisfied, and if any Debtor, after such Levy made, shall make Payment to the Defendant or Defendants, (the Plaintiff's Judgment not being satisfied) the same shall be deemed a Payment in his own Wrong, and he shall be still liable to the Plaintiff or Plaintiffs, for the same as far as necessary to satisfy the Judgment.

Levy binds Debts till Judgment satisfied.

And as a further Security to Creditors, Be it, and it is hereby enacted by the Authority aforesaid, That all Debts due to any Defendant absent or present, shall and may be attached, and charged in such Debtor's Hands in Manner herein-after mentioned, that is to say, the Plaintiff or Plaintiffs in any Action, or the Attorney of such Plaintiff or Plaintiffs in case of his or their Absence, may at any time after the filing of the Declaration, make Affidavit, according to the best of the Deponent's knowledge and belief, before any Justice of the said Court of *Common Pleas*, of the Sum due from the Defendant or Defendants in such Action, which Affidavit shall be filed in the Secretary's Office of this Island; and such Attachment shall be made by leaving a Notice of such Attachment in Writing, and a Copy of such Affidavit with the Person on whom such Attachment is to be made, or at his, her, or their usual Place of Abode, or on his, her, or their Attorney (in case of such Debtor's Absence from this Island) or at the usual Place of Abode of such Attorney, which Attachment shall bind the Debts due to such Defendant from the Person so served with Notice as aforesaid, until the Plaintiff shall be satisfied in Case of a Recovery in such Action, or until such Plaintiff discontinue, be Nonsuit, or a Verdict shall be given therein for the Defendant.

Clause LIX.

Debts may be attached any time subsequent to filing the Declaration.

Notice in Writing and Copy of the Affidavit to be left with Debtor.

Attachment binds Debts of Defendant.

And that it may be known whether and how far the Person or Persons served with such Notice, or levied on as aforesaid, was or were Debtor or Debtors to the Defendant or Defendants, and in Order to prevent such Debtor or Debtors from making any Payment to such Defendant or Defendants, his, her, or their Assignee or Assignees, after such Notice served or Execution levied;

Preamble.

Be it, and it is hereby enacted, by the Authority aforesaid, That at any time after Judgment obtained in the original Action, any of the Justices of the said Courts shall and may, on Application made by or on behalf of the Plaintiff or Plaintiffs, issue a Summons requiring any such Debtor to attend before him at such time and place as he shall therein appoint, to answer such Interrogatories upon Oath as shall be exhibited by the Plaintiff or Plaintiffs touching the Debt due to such Defendant or Defendants, at the time of such Notice served, or Execution levied: and the Interrogatories so to be exhibited, shall be signed with the Name of the Plaintiff's Counsel, and be served on such Debtor or Debtors, together with a Copy of the Judge's Summons, at least Four Days before the Day appointed for such Attendance, and such Service shall be by delivering such Interrogatories and a Copy of such Summons to the Debtor or Debtors, or leaving the same at his, her, or their respective usual Place of Abode: and every such Debtor so served, shall attend according to such Summons, and answer such Interrogatories on Oath; and in settling the Debt due between such Debtor or Debtors, and such Defendant or Defendants, mutual Credit shall be allowed between them, and only the Balance in such Debtor's Hands shall be liable to pay such Plaintiff or Plaintiffs, for which Summons and Attendance thereon, the Judge shall have and take for his Fee, the Sum of One Pound Ten Shillings and Four Pence current Money, and no more, which shall be taxed with Costs; And if any Debtor shall refuse or neglect to attend at the time and place so to be appointed, (due Service of the Summons being proved upon Oath), or if any Debtor attending shall refuse to be sworn, or being sworn, shall refuse to answer such Interroga-

Clause LX.

After Judgment, Justice upon application, may issue Summons for Defendant's attendance to answer Interrogatories.

Interrogatories to be signed by Counsel, and served on Debtor with copy of Summons, 4 days before the day of attendance.

Debtor so served to attend and answer Interrogatories on Oath.

Mutual credit allowed, and only Balance liable to pay Plaintiff.

Judge to receive for Summons and Attendance, £1 10 4 to be taxed in Costs. Debtor not attending or refusing to be sworn, or to answer Interrogatories, may be committed

to Gaol until he conforms.

Notice of Attachment or Levy, may be pleaded in Bar, by Debtors to Action brought by Creditors for Debts attached.

If Execution issues pending Attachment or Levy, same may be stayed.

Judge may order Sum confessed to be paid to the Plaintiff within 80 days.

Payments made in pursuance of Order, a discharge of so much of Creditor's Demand against Debtor.

Debtors not paying in time, Execution may issue against them.

And may be proceeded on as other Executions.

Proviso. Debtors thinking themselves aggrieved by Judge's determination, upon giving 6 Days Notice of intention to appeal therefrom, intitled to an order of suspension.

On giving 3 Days Notice of such order to Plaintiff, proceedings to stay.

Plaintiff authorised to bring Action in the name of the Defendant in original Action against Debtor.

Defendant in whose name Action is brought not allowed to discontinue.

Preamble

Clause LXI. Defendant obliged to attend Judge upon four days' notice;

tories as shall be exhibited and approved by the Judge, every such Debtor shall and may be committed to close Custody in the Common Gaol of this Island, without Bail or Mainprize, by Warrant under the Hand and Seal of any such Judge, directed to the Marshal or his Deputy, there to remain until he, she, or they conform and be examined, or confess that there is sufficient owing by him, her, or them, to pay the Plaintiff's Judgment; and such Notice of Attachment or Levy may be pleaded in Bar by the Debtor or Debtors to any Action to be brought by the Creditor or Creditors, for the Debts so attached or levied upon, and so long as the original Suit shall be depending, or so long as the Levy continued in Force, and the original Plaintiff's Execution shall remain unsatisfied; and if such Creditor or Creditors shall cause any Execution to issue against such Debtor or Debtors, pending the said Attachment or Levy, the same may be stayed by Order of the Court, or of a Judge in his Chamber; and when any Sum is confessed or determined by the Judge to be due in such Debtor's Hands, and liable to such Attachment and Levy, such Judge shall and may make his Order in Writing directing the same to be paid to the Plaintiff in Satisfaction of his Demands within Eighty Days then next ensuing, if the Debt be then already due and payable, or within Eighty Days after the Time when the same shall become due and payable; and every Payment made in pursuance of any such Order, shall be a Discharge and Satisfaction of so much of the Creditor's demand against the Debtor; but in case the Debtors shall neglect or refuse to pay the Sum mentioned in such Judge's Order, at the Time when the same shall become payable, then on Affidavit made of such Non-payment sworn before and attested by one of the Judges, an Execution, reciting the Attachment and Judgment, or the Execution and Levy in the original Suit and the Judge's Order made thereupon, shall and may issue against such Debtor or Debtors, his, her, or their Goods, Chattels, Lands, Tenements, Hereditaments, Rent Charges and Annuities, and against his Body in Default thereof, but not against his Debts, and may be proceeded upon as Executions are proceeded upon in other Cases; Provided always, if such Debtor or Debtors to such Defendant or Defendants shall think himself, herself, or themselves any way aggrieved by the determination of such Judge, and shall be desirous of having the matter tried by a Jury, and shall within six days after such determination signify to such Judge his intention of appealing from such determination, the said Judge shall and may issue an Order suspending the Execution of his former Order until the matter shall be tried by a Jury; and on giving Notice in Writing within three days of such Order of Suspension to the Plaintiffs in the original Action, his, her, or their Counsel, or in Case of the Plaintiff's Death, to his or her Executors or Administrators, all Proceedings on such first-mentioned Order shall be stayed, but in order to have the matter tried by a Jury it shall and may be lawful for the said Plaintiff or Plaintiffs, his, her, or their Executors or Administrators to bring any Action or Actions, and finally to proceed thereon in the Name or Names of the Defendant or Defendants to the original Action, his, her, or their Executors or Administrators against such Debtor or Debtors, his, her, or their Executors or Administrators for the Debt or Demand due by him, her, or them, to such Creditor or Creditors, and the Defendant or Defendants in whose Name such Actions shall be brought shall not be allowed to discontinue the same, or to suffer nonsuit therein.

And whereas such Defendant or Defendants in the original Action, may elude the Intention of this Act, if they are not compelled to assist the Plaintiff or Plaintiffs in the original Action with proper Means to proceed at Law in the Action or Actions to be brought against such Debtor or Debtors;

Be it therefore enacted by the Authority aforesaid, That such Defendant or Defendants shall attend the Judge before whom such Debtor or Debtors is or are summoned, at such Time and Place as shall for that purpose be

appointed, upon being served with a Summons requiring such Attendance four days before the day appointed for such Attendance, and such Defendant or Defendants shall at the Time of such Attendance deliver up to such Judge, the Specialty, Note, Bill, Order, Acceptance or other written Contract, whereby or whereupon such Debtor or Debtors is or are indebted to such Defendant or Defendants, and the said Judge shall lodge the same with all convenient Speed in the Secretary's Office of this Island to be produced and made Use of at the Trial; but if the Demand due from such Debtor or Debtors be only a Book Debt, Running Account, or other Claim for which no written Contract has been entered into, then the Defendant or Defendants in the original Action shall at the Time of his, her, or their Attendance upon such Judge not only answer Interrogatories upon Oath touching such Debt, but also deliver to him an Account in Writing of the particular Items due from such Debtor or Debtors to the Defendant or Defendants, with the christian and surname or names of the Witness or Witnesses who can prove such Debt, Account, or Claim if any such there be, which Account such Judge shall, upon request to him made, deliver to the Plaintiff or Plaintiffs in the original Action, his, her, or their Executors or Administrators, or either of them, or to his, her or their Counsel, so as to enable him, her, or them to proceed to the recovery of such Debts or Demands; and if in such Actions to be brought, such Plaintiff or Plaintiffs shall discontinue, or be nonsuit, or a Verdict shall be given for the Defendant or Defendants thereto, the Plaintiff or Plaintiffs, his, her, or their Executors or Administrators, shall pay to such Defendant or Defendants Costs to be taxed, and all such Interrogatories and Depositions shall as soon as may be after the taking thereof be returned by the Judge taking the same into the Secretary's Office of this Island, to be filed with the Proceedings in the same Cause, and shall there remain and may be used as evidence in support of the Actions, or in case of prosecution for perjury as herein-after mentioned.

And deliver up specialty, Note, or other Contract, whereby such Debtor is indebted to him. Judge shall lodge same in Secretary's Office, to be made use of at the Trial. If Demand be a Book Debt, Defendant to answer Interrogatories, and deliver an Account of the Items with the Names of the Witnesses who can prove same.

If Plaintiff discontinue, become Nonsuit, or Verdict be given for Defendant, Plaintiff to pay Costs.

Interrogatories and Depositions to be filed in Secretary's Office, with proceedings in the Cause, and be used as Evidence.

And be it further enacted by the Authority aforesaid, That in case of wilful and corrupt Perjury of such Debtor or Debtors, Creditor or Creditors, on their respective examinations, he, she, or they may be prosecuted by Indictment or Information, and be punished in the manner in which wilful and corrupt Perjury is punishable in *England*.

Clause LXII.
Perjury punishable.

And whereas it often happens that Defendants absent or present have Goods and Chattels really belonging to them in the hands of third Persons, which ought in justice to go towards the payment of Debts due from such Defendants, but Plaintiffs after bringing their actions, are often disappointed by such Goods and Chattels being removed and disposed of before they can obtain Judgments and Executions for their Debts, or after obtaining Executions cannot find out the particular Goods and Chattels, so being in the hands of Persons taking charge of them, which is manifest injury and prejudice to Creditors :

Preamble.

Be it therefore enacted by the Authority aforesaid, That all Goods and Chattels, or any other moveable Effects whatsoever, belonging to any Defendant, absent or present shall and may be charged and attached in the Hands of the Person or Persons possessing or having the Custody thereof, in the same Manner and by the like Notice as Debts due to such Defendant can or may be attached by virtue of this Act; and that all such Goods and Chattels, and Effects, if confessed or proved to be the Property of such Defendant, shall and may be delivered up to the Provost-Marshal, or his lawful Deputy, and afterwards sold in the same manner as though the same were taken from the Defendant himself; and in case of any dispute touching any such Goods attached, the like Summons and Proceedings by Interrogatories shall be had before one of the Justices of the Court of *Common Pleas*, and like order shall and may be made touching the delivery thereof to the Marshal in the space of Ten Days as are herein-before directed to be had and made for the Payment of Monies found or confessed due in

Clause LXIII.
Goods, and Chattels, belonging to Defendant attachable in the hands of persons possessing same in the Manner and like notice as Debts. Goods, &c. confessed or proved to be the property of Defendant to be delivered to the Marshal, and sold in the same manner, as if taken from Defendant. In case of Dispute touching such Goods attached, the like Summons and Proceedings by Interrogatories, and

the like Order made as to Delivery to the Marshal in 10 days, as Monies found and confessed due, With the like privilege of contesting the matter before a Jury.

Preamble.

And whereas in cases of Attachment in the hands of Persons acting as Attornies to absent Debtors, such Attornies may, if not compelled, refuse to answer Interrogatories respecting such Attachment, for remedy whereof ;

Clause LXIV.

Debts may be attached in the Hands of Debtor's Attorney, who is liable to the same Penalties as principal.

Be it and it is further enacted by the Authority aforesaid, That from and after the Publication of this Act, in all cases where Attachments are laid on Debts in the hands of any Person or Persons absent from these Islands, and such Attachment legally served on the lawful Attorney or Attornies of such absent Person or Persons, such Attorney or Attornies respectively shall obey the Judge's Summons, and answer all Interrogatories in the like manner, and under the like Penalties in cases of neglect or refusal, as Principals are hereinbefore subjected to.

Clause LXV.

Executions against Executors or Administrators, to be levied on the Goods of the Testator or Intestate.

In cases of waste or false Pleas, Execution to go against them.

Returns of waste to be agreeable to the Laws of England.

Proviso, Executor's or Administrator's effects not affected otherwise than same might be bound by the laws of England.

And be it also enacted by the Authority aforesaid, That where Executions issue upon Judgments obtained against Executors or Administrators, the same shall be levied on the Goods of the Testator or Intestate, and the Writ of Execution shall be altered conformably thereto ; and in cases of waste by them committed, or false Pleas, subjecting them to be charged in their proper Estates, Executions shall and may be formed to be levied against them as in common Cases against other Persons, the forms and proceedings upon such Executions and the returns of waste to be agreeable as near as may be to the Law and Practice of the Court of *Common Pleas in England* ; Provided always, That nothing in this Act shall be deemed, construed, or taken to affect the proper Goods and Chattels, Lands or Tenements, or the person or persons of any Executors or Administrators further or otherwise than the same might be bound or affected by the Common or Statute Law of *England* relating to Executors or Administrators, or by this or any other Law of this Island now in force.

Clause LXVI.

Executions bind Goods and Chattels, from the time same are lodged in the Marshal's Office.

Marshal to minute the time of lodging Execution, and give a Receipt for the same upon Request.

And be it enacted by the Authority aforesaid, That all Executions whatsoever against Defendants herein-before mentioned, or against Sureties or Purchasers, on Executions herein-after mentioned, shall bind the property of the Goods, and Chattels of the parties against whom such Executions shall issue, from the time the same shall be respectively lodged in the Marshal's Office, and not before, and the Marshal, or his Deputy, is hereby required to minute on the back of every Execution, the year, month, day, hour, and minute of the day as nearly as may be when the same shall be respectively lodged, as aforesaid, and shall immediately, upon request, give to the party lodging the same, a receipt for every such Execution, specifying the parties, the sum, the year, day of the month, hour and minute when the same was lodged, under the forfeiture of One Hundred Pounds current Money of *Grenada* for every refusal or neglect, one half to the informer, and the other half to the use of His Majesty, his Heirs and Successors, to be paid into the Treasury of this Island, for the public uses thereof, to be recovered by Action on the case brought at any time within two years after such refusal or neglect, in any Court of *Record in Grenada*, by the party grieved, his Executors or Administrators, in which treble Costs shall be also recovered ; and for every such receipt, the Marshal, or his Deputy, shall be entitled to demand and take a fee of One Shilling and Sixpence, and no more.

Under penalty of £100 for refusal or neglect.

How to be applied and recovered.

Treble Costs allowed.

Marshal intitled to 1s. 6d. for Receipt.

Preamble.

And whereas it frequently happens that Executions are issued against Defendants upon Judgments obtained for the penalty of Bonds, Bills penal and other penalties, when in fact much less is due ;

Clause LXVII.

In Execution for Penalty, Plaintiff to lodge in 10 days with the Marshal,

Be it and it is hereby enacted by the Authority aforesaid, That every Plaintiff who hath obtained or shall obtain Judgment for any penalty, and shall take out Execution thereon, and shall lodge such Execution with the Provost-Marshal or his Deputy, shall be obliged, within ten days after such

Execution lodged to deliver to the Provost-Marshal or his Deputy, an Account of what is *bona fide* due to him, her or them, upon such Execution, sworn to by such Plaintiff or Plaintiffs, or one of them by Affidavit in Writing before any one of the Justices of the said Court of *Common-Pleas*, if such Plaintiff or Plaintiffs shall be present on this Island, but in case of the death or absence of such Plaintiff or Plaintiffs, such Account shall and may be sworn to by any other Person or Persons, and in such last mentioned case, or where the Plaintiff or Plaintiffs is or are Executor or Executors, Administrator or Administrators, or from the nature of the transaction cannot swear positively to the sum due upon such Executions, then such Affidavit may be made, according to the best of the knowledge and belief of such Deponent or Deponents, and in default of the making and delivery of such Affidavit, such Execution Creditor or Creditors shall not be entitled to the benefit of compelling the Provost-Marshal or his Deputy to pay him, her or them the monies due upon such Executions in manner by this Act directed; and if such Execution Creditor shall not lodge such Account within the time herein-before limited, then all subsequent Execution Creditors who shall duly lodge their Accounts, shall have the preference to such Execution Creditor until he shall have lodged such Accounts as aforesaid.

And be it enacted by the Authority aforesaid, That all Goods of the growth, produce, or manufacture of these Islands, when levied on, shall be sold on the Twentieth day after such levy, exclusive of the day of levy by the Provost-Marshal or his Deputy after due publication; but whenever a levy shall be made on any Goods and Chattels, not being of the growth, produce, or manufacture of these Islands, the Marshal or his Deputy shall, upon request of the Defendant, or in his absence from the Island, on request of his Agent or Attorney, deliver the same to the said Defendant, his Agent or Attorney, provided he or they do make oath and give bond in ten days after the levy, with two sufficient Sureties, all to be bound jointly and severally, either to the Plaintiff or Plaintiffs, or to the said Marshal or his Deputy, in a penalty equal to double the value of Goods so levied on (such value to be agreed on between the Plaintiff and Defendant, or in case of disagreement to be ascertained by an appraisement to be made by three respectable and indifferent Persons for that purpose to be named by the Marshal or his Deputy) and the condition of such Bond shall be, to return the same Goods at the end of Twenty days after the day of levying, specifying the day when first levied on, in order to be sold at public Outcry, towards satisfaction of the Plaintiff's Debt, or else to pay and satisfy the said Debt and Costs at the expiration of the said space of Twenty days, and an Inventory expressing the nature and quality of the Goods so levied on shall either be inserted in the condition of the Bond, or endorsed on or annexed to it; and before such Surety shall be accepted, the Defendant, or his Agent or Attorney, if the Defendant be absent from the Island, shall make oath that he will not remove from this Island, nor conceal or willingly suffer to be removed or concealed, or any way alter the property of any such Goods or Chattels, but will redeliver the same pursuant to such bond as far as the same shall be then in his power, in order to be sold to satisfy the Plaintiff's Judgment, and the Sureties, before they shall be accepted, shall each make oath that he believes in his conscience he is worth the value of the things to be returned, which oath shall be taken before a Judge of this Court, and lodged in the Secretary's Office of this Island, or else such Goods shall remain with the Marshal, and be sold as though no Security had been given for the same; and the Plaintiff or Plaintiffs, where the debt does not, from the nature of the Contract on which the Judgment was recovered, carry interest, shall be allowed interest upon such Debt at the rate of Six per cent *per annum*, from the day of the date of such Bond until such Plain-

an Account of what is due upon such Execution, sworn to, or lose his preference, until he shall lodge such Account.*

Clause LXVIII.

Produce levied upon to be sold upon the Twentieth Day. If levy be on Goods, Marshal to deliver them to Defendant, on his making oath and giving Bond in 10 Days with Two Sureties in double the value.

Condition to return the same at the end of 20 Days to be sold, or else to pay the Debt and Costs.

Before Security is accepted, Defendant to make Oath not to remove from the Island, or conceal or alter the Property, but re-deliver the same, pursuant to Bond, as far as in his power. Sureties to make Oath that they are worth the value of the Things to be returned.

Where the Debt from the nature of the Contract does not carry Interest, Plaintiff allowed 6 per Cent. Interest

* See Clauses 52. 68. and Act, No. 137. Clause 10.

from date of Bond until payment of his Debt.

If condition of Bond be not performed, Bond to be assigned at request of the Plaintiff, and new Execution to issue against Defendant and his Sureties, any or either of them, at Plaintiff's Election.

Marshal empowered by new Execution to levy upon Effects and Debts of Defendant or his Sureties for the value of the Goods delivered and not returned with 20 *per Cent.* more upon the amount of such value with Costs.

Or at least so much thereof as will satisfy Plaintiff's Execution, with 20 *per Cent.* and to sell the Effects, within 10 Days, for ready Money.

In Default of Effects the Marshal to take the bodies of Defendant and Sureties.

New Execution binds Lands, &c., in the hands of Persons purchasing the same, from the time of lodging new Execution.

Secretary to minute such new Execution in alphabetical Order.

Defendant neglecting to make application, and give Bond for Goods, &c. levied on, Marshal to keep the same in Custody, and sell them at the end of Twenty Days from the day of Levy.

Clause LXIX.

Defendant to be at the charge of carrying Goods, &c., to the place of Sale, or in case of refusal or neglect, Marshal to provide Conveniences to carry same at Defendant's charge.

Goods or Chattels to be set up in convenient Lots and sold at such place as Defendant shall point out, at any time before Publication of Sale.

tiff or Plaintiffs be paid his, her or their debt : and if the condition of such bond be not performed, then in case the same were taken in the name of the Marshal or his Deputy, it shall be assigned on request to the Plaintiff or Plaintiffs, and a new Execution shall issue either against the Defendant or his Sureties, or any or either of them, at the election of the Plaintiff, which new Execution shall issue upon such request entered on record, and with and under such circumstances as herein-after directed in case of Execution against purchasers of Lands or Tenements failing to pay their purchase money in time, and shall recite concisely the dates, substances of the first Execution, the levy, the Marshal's return thereof, and the Security Bond and the assignment (if any made) and the Marshal or his Deputy are hereby respectively empowered by such new Execution to levy upon the Goods, Chattels, Lands, Tenements, and Hereditaments, Rent Charges, Annuities, and Debts of the said Defendant or his Sureties, for as much of the penalty of the said Bond as will amount unto the value of such or so many Goods and Chattels as were delivered unto the Defendant, and not duly returned, with Twenty *per centum* more, upon the amount of such value, and so in proportion with Costs to the Plaintiff's use ; or at least so much thereof as will satisfy the Plaintiff's Execution, with Twenty *per centum* thereon, and the Marshal or his Deputy, shall, within Ten days, proceed to sell the Goods, Chattels, Lands, Tenements, Hereditaments, Rent Charges, and Annuities of the Defendant, or his Sureties, by public Outcry, for ready money, in order to satisfy the Plaintiff's demand ; and in default of sufficient effects to answer the deficiency for which the Defendant and his Sureties were so bound as aforesaid, he is then to take the bodies of the Defendant and his Sureties, any or either of them, and him or them safely to keep until the condition of the bond with the aforesaid Twenty *per centum*, and all subsequent Costs of levy shall be satisfied and paid, and such new Execution shall bind all the Lands, Tenements, Goods, Chattels, Hereditaments, Rent Charges, and Annuities of the person or persons liable to such new Execution in the hands of any person or persons, purchasing the same, from the time the same shall be lodged with the Marshal, or his Deputy as aforesaid, and the Secretary, or his deputy, is required to minute every such new Execution in his Book, in alphabetical order, as herein-after directed in case of Executions against purchasers of Lands making default of payment before delivery of any such new Executions out of his Office, and in case any Goods or Chattels shall be taken from a Defendant, and he shall neglect to make application, or to give bond to the Marshal or his Deputy, within the time herein-before for that purpose limited, the said Marshal or his Deputy shall keep them in his custody in the common Gaol of this Island at the Defendant's Expence, and shall forthwith set up publications for selling them at the expiration of Twenty days from the day of levy, and shall give Notice of such Sale to the Defendant in the manner herein-after directed, and at the Expiration of the time mentioned in the said publication, he shall proceed to make sale of such Goods, or Chattels, by public Outcry, as hereafter directed.

And be it further enacted by the Authority aforesaid, That the Defendant shall be at the charge of carrying all his Goods and Chattels taken in Execution to the place of Sale, and if he shall refuse or neglect the same, the Marshal, or his Deputy, is hereby authorised and required to provide Carts, Cattle, or such other conveniences as shall be necessary to carry the same, at the Defendant's Charge, to be deducted out of the produce of the Sale of the said Goods and Chattels, and such charge, in case of dispute as to the sum to be allowed, shall be settled by the Court ; and when any Goods or Chattels are to be sold at Outcry, the same shall be set up in convenient lots or parcels, and exposed to Sale at such place in the Island as the Defendant shall for that purpose point out to the Marshal or his Deputy, at any time before the publication of such Sale, and that all such Sales by public Outcry shall begin at Ten o'Clock in the forenoon, and if the same

shall not be concluded at One o'Clock in the afternoon of the same day, the same shall be adjourned until Three o'Clock of that day, and also such Sales may recommence and continue until Sun-set, and no fresh lot whatsoever shall be set up after Sun-set, at which time the Provost Marshal shall adjourn the Sale from day to day until the whole shall be concluded, unless a Sunday shall intervene, in which case the Sale shall be adjourned from Saturday to Monday; but if the Defendant shall refuse or neglect to appoint or give the said Marshal timely Notice of a place for the Sale of the Goods or Chattels so taken in Execution, then the said Marshal, or his Deputy, shall cause the same to be Sold in the Town of *Saint George*, and all Purchasers, upon paying down Twenty *per centum* of their Biddings, shall have Six days after the Sale for making their payments, but the said Goods and Chattels shall remain in the custody of the Marshal or his Deputy, at the Charge and Risque of the Purchaser, until such payment is made, which shall be made at the Marshal's Office in the Town of *Saint George*.

And be it enacted by the Authority aforesaid, That if any such Purchaser shall neglect to make payment of the residue of his biddings, not having the Plaintiff's consent therefore, he shall forfeit the Twenty *per centum* paid down, at the sale, and shall lose the benefit of such bidding, and the said Twenty *per centum* shall go and be applied first to pay the costs of the former Executions, and then to the discharge of the Debts due on such Executions in due course of Law, and if any Surplus, the same shall be paid to the Defendant, and the Defendant's Goods, or Chattels, shall be again set up to Sale, Six days notice being first given in the next *Weekly Gazette*.

And be it enacted by the Authority aforesaid, That in case any person or persons after the commencement of any suit against him or them, shall secrete any part of his or their Goods and Chattels, or other personal Estate, or place the same in the Hands or Possession of any other person or persons, without making a fair and *bona fide* Transfer or Assignment of his Property therein for valuable consideration, the same shall be liable to be levied on as though they were in the Defendant's own Hands.

And for as much as dead Goods cannot always be conveniently removed when levied on, Be it also enacted by the Authority aforesaid, That if any dead Goods or Chattels, whatsoever, shall be levied on and taken in Execution, the same shall be immediately inventoried by the Marshal or his Deputy, and secured in the best manner the place and circumstances will admit, and shall be deemed to be in custody of the Law, and if such Goods and Chattels shall be embezzled, destroyed, injured, or made away with before the same can be conveniently removed from the place in which they were levied on, the same is hereby declared to be a contempt of the Court: and the person or persons who shall so embezzle, destroy, injure, or make away with any such Goods or Chattels, or shall be aiding or assisting therein, or advising thereto, shall and may be brought in by attachment (to be granted on an Affidavit of the fact) and shall and may be examined upon interrogatories touching such contempt, and being proved guilty thereof, or confessing the same, shall and may be fined at the discretion of the Court for such contempt, and committed until he pay such fine with costs of the contempt, until he or they pay into Court the value of the Goods and Chattels so embezzled, destroyed, injured, or made away with, such value to be settled by the Court without a Jury on due Examination, and to be paid over for the use of the Plaintiff; and such Offender or Offenders shall suffer further, if the Court think proper, imprisonment in the common Gaol without Bail or Mainprize for any time not exceeding Thirty days; But nevertheless it shall be at the Election of the Plaintiff to levy further on the Defendant for the value of the Goods so lost, embezzled, or made away with, in which case, such further levy, if made, shall discharge the Offender or Offenders from being answerable to the Plaintiff for the

Sales to begin at Ten o'Clock in the Forenoon, and if not concluded at One o'Clock, to be adjourned until 3 o'Clock, and continue until Sun-set, and be adjourned from day to day until concluded.

Defendant neglecting to give timely Notice of a place for sale, Marshal to sell in the Town of *St. George*.

Purchasers on payment of 20 *per Cent*. to have Six Days to pay remainder.

Payment to be made at the Marshal's Office.

Clause LXX.

Purchaser neglecting to complete his payment, to forfeit his 20 *per Cent*. and lose the Benefit of his Bidding. The 20 *per Cent*. how applied.

Defendant's Goods, &c. again set up to Sale.

Clause LXXI.

Persons after Suit commenced, secreting their Personal Estate, &c., without making a fair transfer, same liable to be levied on.

Clause LXXII.

Dead Goods or Chattels levied on, to be inventoried by the Marshal and secured; embezzling or making away with same a Contempt of Court.

Persons guilty of embezzling, &c., may be brought in by Attachment; fined at the Discretion of the Court, and committed until payment.

Value of Goods embezzled to be settled by the Court without a Jury, and paid over for Plaintiff's use.

Court may further imprison Offenders not exceeding 30 Days.

Plaintiff may levy on Defendant for value of Goods lost. In which Case Offenders discharged from Value of such Goods, but not from

Punishment for contempt, or from being answerable to Defendant. value of such Goods, but not from punishment for their contempt, not from being answerable to the Defendant, if such Defendant were not privy thereto.

Clause LXXIII.

Goods, or Chattels, dying or perishing before Sale, Marshal to make further Levy.

Effects further levied on to be sold at the same time and place, as those dying and perishing, if time permits, without further Publication, or else on the eighth Day after, or as soon as it can conveniently be done.

Defendant or Buyer shewing other Person's Effects to be levied on, and same recovered from the Purchaser thereof, to forfeit double the value.

Clause LXXIV.

Lands and Tenements to be sold upon the Thirtieth Day of the levy.

Sales to be for current money £20 per Cent. to be paid down, and the remainder in Twenty Days, except as hereafter provided. Proviso.

Defendant paying before day of sale, his Lands, &c., discharged.

Clause LXXV.

Defendant may point out what part of his Lands, &c., he will have first sold.

If not sufficient, the Marshal on the day of sale, may sell such other parts as shall be sufficient.

Surplus Money to be paid to the Defendant. Marshal neglecting to pay such surplus in Six Days, Defendant to have the remedy given to a Plaintiff in an Execution.

Proviso. Defendants whole interest in a Lease for Years of Lands, &c., to be sold together, subject to the Rente, &c.

And be it further enacted by the Authority aforesaid, That if any Goods or Chattels, taken from a Defendant or from a Purchaser as aforesaid, shall die or perish before the sale, the Marshal or his Deputy, may make a further levy, and if the loss of the said Goods or Chattels, hath been occasioned by abuse or neglect of the Marshal or Deputy Marshal, he shall be responsible for the same to the Owner or Proprietor thereof; and such Goods or Chattels, so further levied on, shall be sold without further notice, at the same time and place as those dying and perishing were to have been sold, if time permits, without further publication, or else on the eighth day after, if it can be done, or as soon after as conveniently may be done, giving such notice thereof in the usual manner of publication as the time will permit; and in case any Defendant or buyer, as aforesaid, shall knowingly, and with a view to deceive, shew to the Marshal, or Deputy Marshal, any Goods or Chattels, belonging to any other person at that time to be levied on, and that such Goods or Chattels shall afterwards be recovered or lawfully taken from the person or persons purchasing the same, his Heirs, Executors, or Administrators, such Defendant or Buyer shall forfeit double the value of the said Goods and Chattels, to the party grieved, his Executors or Administrators, to be recovered in any Court of Record in this Island by Action of Debt, or Case, Bill, Plaint, or Information, wherein no Essoin, Protection, or Wager of Law shall be allowed.

And be it further enacted by the Authority aforesaid, That all Lands and Tenements of Freehold, or for Years, levied on by virtue of this Act, with all Buildings, Mills, Stills, Coppers, and Improvements thereon, shall be sold by the Provost Marshal, or his lawful Deputy, to the highest bidder, at public Outcry, upon the Thirtieth day after such Levy, exclusive of the day of Levy, unless such Thirtieth day shall happen to be Sunday, in which case such sale shall be on the following day, and such sales shall be made for current Money, Twenty *per centum* of the Biddings to be paid down, and the remainder payable at the expiration of Twenty days, except in the cases hereinafter otherwise provided for: Provided nevertheless, That if the Defendant pay all the Executions then in the Marshal's Hands against such Defendant, on or before the said Thirtieth day, no sale shall be made, and the Lands and Tenements shall be discharged from such Executions.

And be it enacted by the Authority aforesaid, That where the Defendant shall allege that his Freehold Lands or Tenements levied on are more than sufficient to pay off the Execution or Executions in the Marshal's Hands against him, the Defendant may in such case, point out to the Provost-Marshal, or his Deputy, at any time before the day of sale, what part or parts of the said Lands or Tenements he will have first sold, and if the same should prove sufficient to satisfy the Execution or Executions levied, the Marshal shall be precluded from proceeding to sell any other part of such Defendant's Lands or Tenements, but if the same shall not be sufficient, then the Marshal on the day of such sale shall sell such other portion, parts thereof, as shall be sufficient to pay the said Debt and Costs, or the whole, if necessary, and shall pay back to the Defendant, his or her Attorney, the surplus of the Money arising from such sale after paying off the Execution or Executions levied, and all Costs thereon, and if the Marshal shall neglect to pay such surplus Money, as aforesaid, within Six days after he shall have received the same, such Defendant or his or her Attorney shall have the remedy herein-after given to a Plaintiff in an Execution where the Marshal neglects to pay him or her the Money in the Marshal's Hands, by virtue of any sale by him made; Provided always, That where the Defendant has only a Lease for Years, in any such Lands, Tenements, Cattle, and Utensils, the same shall not be sold by Parcels or Parts, but the Defendant's whole Benefit and Interest therein shall be sold together,

subject to all the Rents, Covenants, Payments, Agreements, and Engagements to be paid, done, and performed by the Lessee to the end that the Lessor may not be injured, and the publication of such Leasehold Interests, shall be made accordingly.

And be it enacted, That in case of Judgment against Heirs of particular Assets, Execution shall be formed as near as may be to the practice in *England*, except that such real Assets shall and may and the same are hereby directed to be sold in the same Manner as the real Estates of other Defendants.

And be it enacted, by the Authority aforesaid, That from and after the date hereof, the beneficial interest of all Trust, of Lands, Tenements and Hereditaments within these Islands, whether such trusts are now in being, or shall hereafter be created, or in being, shall be liable to Judgments and Executions, and bound thereby in the same manner as if the legal Estate was in the Cestui-que Trusts, and every such beneficial Interest of Cestui-que Trust in Lands, Tenements or Hereditaments, shall and may be sold, and Execution be done thereon, as if the legal Estate of and in such Lands, Tenements and Hereditaments, respectively, was immediately vested in such Cestui-que Trust; and all Deeds, Conveyances and Assurances in Writing, or otherwise, of Lands, Tenements, Goods or Chattels, are hereby declared to be null and void as to Creditors, unless the Purchaser or Purchasers shall make it appear by legal Proof that he, she, or they, is or are *bona fide* Purchasers, for a valuable consideration really paid, or secured without any Covin, or for other valuable considerations in Law, according to the Laws and Statutes of *England*, in the like cases made and provided.

And to prevent the defrauding of Creditors, by fraudulent devises of Lands, Tenements, and Hereditaments, Be it and it is hereby enacted by the Authority aforesaid, That the Statute, made in *England*, in the Third year of the Reign of the late King William and Queen Mary, intituled, "An Act for the Relief of Creditors against Fraudulent Devises;" shall be, and the same is hereby declared to be in force in these Islands.

And be it also further enacted, by the Authority aforesaid, That in case the Purchaser shall not within Twenty Days after such Purchase by him or her made, either pay the remainder of his Purchase Money, or enter into Recognizance in manner hereinafter directed, where such Recognizance is allowable, he shall forfeit the Twenty per Centum, paid down at the Sale, and shall lose the benefit of such Bidding; and the said Twenty per Centum shall go and be applied, first, to pay the Costs of the former Executions, and then to the discharge of the Debts due on such Executions, in due course of Law, and if any surplus, the same shall be paid to the Defendant, and the Defendant's Lands or Tenements shall be again set up to Sale, Ten Day's notice being first given in the next Weekly Gazette that shall be printed after such Forfeiture, if such Gazette shall be then printed, and if no Weekly Gazette shall be printed, Publications shall be made as herein-after* directed.

And whereas by allowing a longer time than Twenty Days for the Payment of Purchase Monies when the same are considerable, Purchasers may be induced to bid larger Sums for Lands and Tenements levied on to the benefit both of Creditors and of Debtors;

Be it enacted by the Authority aforesaid, That any Person becoming a Purchaser of Lands and Tenements sold under Execution (where the Sum bid shall exceed Five Hundred Pounds Current Money of *Grenada*, but not otherwise), upon paying down Twenty per Centum of his Bidding, shall and may be allowed a further Term of Six Calendar Months for the payment of the remainder of his Biddings, or of such part thereof, as he shall not choose to pay within the Twenty Days herein-before mentioned, on giving within

Clause LXXVI.
Executions against Heirs of particular assets to be formed as near as may be to the practice in *England* but such real assets may be sold.

Clause LXXVII.
Judgments and Executions bind Trusts.

Beneficial Interest of Cestui-que Trust may be sold.

Deeds, &c., of lands, &c., declared null and void as to Creditors, unless made for valuable considerations.

Clause LXXVIII.
Statute of William III and Mary, for relief of Creditors against fraudulent Devises in force in these Islands.

Clause LXXIX.
Purchaser not paying within 20 Days Remainder of his Purchase Money, or entering into Recognizance, to forfeit his 20 per Cent. paid down, and lose the Benefit of his Bidding.
20 per Cent. how applied.
Defendant's Lands, &c., to be again exposed to Sale.

Preamble.

Clause LXXX.
Purchasers bidding more than £500 for Lands, &c. allowed six Months for Payment of Remainder, after having paid 20 per Cent. down.
On giving security for the Payment

* Viz.: in Clause 95.

thereof with Interest.

Clause LXXXI.

Security to be by one or more. Recognizance to be entered into by the Purchaser, with two or more Securities, in double the Sum.

Provided, Securities not to exceed 10 in Number. Purchaser not entitled to six Months, unless he gives Security within 20 Days for the Sum remaining due. Recognizance to be taken by the Secretary, and the parties become bound to the Marshal.

Recognizance to be sealed and delivered in Presence of a Witness, and attested by the Secretary. Condition of Recognizance.



Clause LXXXII.

Marshal entitled to put in force Recognizances.

They bind lands, &c. from the time of entering into them.

Oath to be taken by the Sureties.

the said Twenty Days, such Security for the Payment thereof, with Interest as is herein-after required and prescribed.

And be it further enacted, by the Authority aforesaid, That the Security to be given in such cases, shall be by one or more Recognizance or Recognizances, each for such a Proportion of the sum as the Purchaser shall think proper, to be entered into by the Purchaser, with two or more sufficient Securities, being Freeholders of sufficient substance in this Island, and the Recognizance shall be in double the sum, and shall be several for the full amount of what each Security engages to pay; Provided always, that such Securities shall not exceed Ten in Number, and that no Purchaser shall be entitled to the Indulgence of the said Six Calendar Months, unless such Purchaser shall within the said Twenty Days have given Security for the whole Purchase Money remaining unpaid; and every such Recognizance shall be taken by the Secretary or Deputy Secretary of the Court of *Common Pleas* for the Time being; and in every such Recognizance the parties shall acknowledge themselves, and become bound to the Provost-Marshal or his Deputy, and to his Successors in the same Office for the Time being, be the same Principals or Deputies, and such Recognizances shall be conditioned as herein-after mentioned, and shall be sealed and delivered by the Persons bound in the presence of some Witness, and the Secretary or his Deputy taking such Recognizance, shall attest the same, specifying in such Attestation the Day, Month, and Year, when the same was taken, in words at length, and the condition of such Recognizance shall be in substance as follows, viz., It shall recite, That whereas on (such Day and Year) the Lands and Tenements of C. D. (naming the Defendant's name) were sold at Outcry, and were then bought by the said A. B. (naming the Purchaser's name) for the Sum of

Current Money of *Grenada*, which Lands and Tenements were as follows, That is to say, All that Piece or Parcel of Land (mentioning the quantities and Butts, and Bounds of the Lands, and where lying, and describing the Buildings and Improvements thereon, as nearly as may be) now the condition of this Recognizance is such, that if the above bounden A. B., his Heirs, Executors or Administrators, do well and truly pay or cause to be paid unto the said Provost-Marshal, or Deputy Provost-Marshal of *Grenada*, or his Successors in the same Office, within Six Calendar Months next ensuing the date hereof, the sum of Current Money of *Grenada* (mentioning the sum for which such Security becomes bound) together with Interest from the day of the date hereof, until actual Payment, at the rate of Six per Centum per Annum: and in case of Non-payment thereof on the last mentioned day, then if the said A. B., his Heirs, Executors or Administrators, do, and shall moreover pay a forfeiture of Twenty per Centum upon the said principal sum, to be applied in due course of Law for the use of the Creditors of the said C. D. then the above Recognizance to be void, else to remain in full force.

And be it enacted by the Authority aforesaid, that the Provost-Marshal, or Deputy Provost-Marshal to whom the said Recognizance or Recognizances shall be given, and his Successors in the said Office, shall be entitled to put in force and execute every such Recognizance in manner and form as hereinafter directed, and each and every of the said Recognizances from the time of entering thereinto, shall have the force and effect of a Judgment to bind each of the parties there, and each of their Lands, Tenements, and Rent Charges of which, at the time of entering into such Recognizance, or at any time after they were respectively seized, and the Secretary or his Deputy at the time of taking every such Recognizance, shall, and is hereby required and empowered to swear each of the Securities severally to his Oath, viz., "I, A. B. (the Deponent naming himself) do swear, that I am "at this time seized of Lands and Tenements, of Inheritance in Fee simple "in *Grenada* (or if in any other Islands of the Government, specifying the "Island) which in conscience I do verily believe to be of the full value of

"the Sum of (mentioning the sum for which he is to become bound) over and above all Incumbrances affecting the same."

And the Secretary or his Deputy shall write on the Recognizance, "Justified on Oath," and each of the Sureties shall sign his name thereunder, which shall be attested by the Secretary or his Deputy; and in default of perfecting such Recognizance or Recognizances in manner herein-before directed within the said Twenty Days, the Purchaser is hereby declared to have forfeited the Twenty per Centum paid down by him, and to have lost the benefit of the Indulgence of Six Months hereby given, and no Recognizance shall be deemed a Security within the meaning of this Act, until the same shall be perfected in all respects in the manner herein-before directed; and the Secretary or his Deputy shall, without delay, record every such Recognizance, in a Book to be kept for the purpose, which Book shall be deemed, and is hereby declared to be a Record of the Court of *Common Pleas*, and after so recording the same, the Secretary, or his Deputy shall immediately indorse thereon, the particular Book and Folio of the Book, where the same is recorded, and shall deliver the said Recognizance to the Provost-Marshal or his Deputy, to be filed in his Office; and in case the original shall be lost, a copy attested by the Secretary or his Deputy shall be equal, and in all respects to the original: Provided always, and be it further enacted, That every Person offered as Surety in any such Recognizance before he shall be allowed to justify as aforesaid, shall deliver in and leave with the Secretary, or his Deputy, an Abstract of his Title to the particular Lands and Tenements of which he is seized, and by virtue whereof he intends to justify: and if such Title Deeds be not on Record, he shall at the same time deliver and leave the same with the Secretary or his Deputy, there to remain until the same shall be proved and recorded, or until the said Recognizance shall be discharged.

In Default of perfecting Recognizance within 20 Days, Purchaser forfeits the 20 per Cent. paid down, and loses the benefit of six Months Indulgence.

Secretary to record Recognizances without delay,

and shall deliver them to the Marshal.

Attested copy equal to the original.

Proviso.

Surety to lodge with Secretary an Abstract of his Title to the Lands, &c., under which he intends to justify.

And be it further enacted by the Authority aforesaid, That in case of such Recognizance or Recognizances being entered into, and Justification made, as aforesaid, the Marshal or his Deputy, may and shall convey the Defendant's Lands and Tenements so levied on, and sold to and for the use of such Purchaser by a Deed or Conveyance, reciting the substance of the Execution or Executions, under which the said Lands and Tenements were sold, and of the said Recognizance or Recognizances, and the Condition or Conditions of the same, so far as to shew the time of payment, and the sum thereby secured; in which Deed or Conveyance shall be contained a Clause, declaring that the same Lands and Tenements are and shall remain charged and chargeable with the said Monies, Interest, and also with the penalty of Twenty per Centum in case of Non-payment, and that the same are liable to be sold for satisfaction thereof, as the Law directs in case of default of payment, and such Lands and Tenements shall be and are hereby declared to stand charged, and chargeable accordingly, and liable in case of default to be sold as hereinafter directed,

Clause LXXXIII.

Upon Recognizance being perfected, Marshal to convey Lands, &c., to Purchaser.

Charged with the Purchase Money, Interest and Penalty of 20 per Cent. as contained in the said Recognizance.

And be it also enacted by the Authority aforesaid, that in case the Monies and Interest conditioned to be paid by such Recognizance or Recognizances, shall not accordingly be paid, then at any time after the day of payment, upon application of any Creditor by Execution, or of the Defendant, the Marshal or the Deputy in Office shall proceed to Execute such forfeited Recognizance or Recognizances in manner following, to wit, He shall without further Writ or Warrant, cause publication to be made, reciting the substance of the Recognizance and Condition, and the forfeiture thereof, and giving Notice that he will proceed to sell at the end of Ten Days the proper Goods, Chattels, Lands, Tenements, Hereditaments, Annuities and Rent Charges of the said Purchaser, and he shall proceed to sell accordingly on the Day mentioned in such Publication, and such Sales on forfeited Recognizances shall be for ready Money, to be paid down at the Sale, and if more Money shall be produced by such Sale than shall be sufficient to pay the Purchase Money, the Interest thereon due, and the

Clause LXXXIV.

In case Purchase Money and Interest not paid Marshal at any time after the day of payment, upon Application of any Execution Creditor, or of the Defendant, may proceed to execute such forfeited Recognizance.

And without further writ advertise for sale, and sell at the end of ten days the effects of the Purchaser. Sales to be for ready Money.

forfeiture of Twenty per cent, the surplus after deducting the fees of Levy, Publication and Sale (as in other Executions) shall belong to and be paid over to the first Purchaser; but in case the same shall prove insufficient to pay such purchase Money, Interest, Forfeiture and Fees, then the Marshal shall, and may make the like Publication for selling at the end of Ten Days next after such Publication, the proper Goods, Chattels, Lands, Tenements, Hereditaments, Annuities and Rent Charges of the Sureties, or either of them, and shall and may sell the same, as far as necessary, to make good such deficiency at public Outcry, to the best Bidder for ready Money, and if sufficient Estate or Effects of the Purchaser or his Sureties be not found to satisfy such Recognizance, then their or any of their bodies may be taken by force of the same forfeited Recognizance, and kept until all such Monies, Interest, Forfeiture and Costs be paid. Provided, That if the Purchaser, or his Sureties shall pay the same before any such Sale made, the same shall not be proceeded upon; And provided also, That if any Purchaser or Surety shall die after entering into such Recognizance, and before levy made in virtue thereof, then no Sale shall be made of the Estate of the deceased, until a *Scire Facias* shall have gone upon such Recognizance, as on a Judgment, against the Heirs, Executors, or Administrators, and Terre Tenant of such deceased person, to shew cause why such Recognizance should not be executed as the Law directs, to which may be pleaded the same pleas as are pleadable against a Judgment, or any other sufficient matter or plea, Provided the same shall not destroy or affect the force of the Lien which such Recognizance is herein-before declared to have on Lands, Tenements, and Rent Charges, and on Judgment given against the Defendants upon such *Scire Facias* Execution shall issue, and the Marshal shall by virtue thereof proceed to sell for ready Money, the Lands, Tenements, and Hereditaments, Rent Charges, Annuities, Goods and Chattels, of such deceased Purchaser or Surety, in the same manner as may be, as if such Purchaser or Surety were living; Provided always, that a Plaintiff shall not be delayed by the Purchaser's Death, but shall have his Election to bring a *Scire Facias* against the Heirs, Executors, or Administrators, and Terre Tenant of such deceased Purchaser, or to proceed immediately against the Sureties, or either of them, in the same manner as he might have done in case the Purchaser's Estate had proved deficient; nor shall the Marshal or his Deputy stay proceedings by reason of any partial Payment of the Purchase Money so secured, nor shall the Creditor receive any part thereof, except from the Marshal or his Deputy, on acknowledging satisfaction for the Sum received, and the Chief Justice and Secretary shall have the same fees for an Execution on the said *Scire Facias* and Judgment as they are respectively entitled to on other Executions.

Clause LXXXV.

Purchase money, Interest and Forfeiture, to be paid to Defendant's Creditors in course of Priority.

Surplus remaining to be paid to Defendant.

And be it, and it is further enacted, by the Authority aforesaid, That the said Purchase Money, Interest, and Forfeiture of Twenty per Centum, if any, shall be paid to and amongst the Defendant's Creditors, each in legal course of Priority, viz.—Each Creditor by Execution entitled in course to be paid all or any part of his Debt out of the Purchase Money and Interest, if the same had been duly paid, shall further receive Twenty per Centum thereon, in proportion to what he receives of his Debt, and those Creditors who in the like case would not have received any part of their Debt out of the Purchase Money, shall not be entitled to receive any part of the Twenty per Centum, and in calculating what Execution Debts would be entitled to be paid out of the Purchase Money and Interest, every Creditor in Priority shall be allowed Interest on the amount of his Execution (whether his demand originally bore Interest or not) during such time and at such rate as the said Purchaser paid Interest for his Purchase Money; and in case there shall be any surplus remaining from the said Purchase Money, Interest, and Forfeiture of Twenty per Centum, after all the Execution Creditors shall be fully paid their Principal, Interest and Costs, with their proportion of such Forfeiture as Aforesaid, such Surplus shall be paid over to the Defendant.

And be it also enacted by the Authority aforesaid, That where any Plaintiff or Plaintiffs shall have obtained any Verdict at Law, and shall be stayed from entering up his, her, or their Judgment thereon, or where Judgment shall have been entered up, and Execution thereon stayed, or where Execution hath been taken out or levied, and the Marshal shall be stayed from proceeding to Sale thereon, by virtue of any Order or Injunction of the Court of *Chancery*, it shall and may be lawful to and for such Plaintiff or Plaintiffs to enter up his, her, or their Judgments on such Verdict, notwithstanding such Order or Injunction, and immediately after the dissolution of such Order or Injunction, to take out Execution upon such Judgment; and the Provost-Marshal or his Deputy immediately after such Execution shall be delivered to him, or if the Execution had been delivered to the Provost-Marshal or his Deputy, and the levy thereof stayed as aforesaid, shall immediately on being served with a copy of the Order dissolving such former Order or Injunction, levy on the Goods and Chattels, Lands, Tenements, Hereditaments, Rent Charges, Annuities and Debts of the Defendant or Defendants, and if such Execution had been already levied, and so stayed as aforesaid, that then the Provost-Marshal or his lawful Deputy shall on being served with a copy of the Order as aforesaid, make Publication for Sale, of what shall have been levied on before such Order or Injunction, in such Places and Towns as directed in the common and ordinary course of proceedings on Executions and Sales, and that all such Sales shall and may be made on the twentieth Day after such Publication, inclusive of the Day of Publication and Sale, unless such twentieth Day shall happen to be on a Sunday, in which case such Sale shall be made on the twenty-first Day, any thing herein-before or herein-after contained to the contrary notwithstanding.

Clause LXXXVI.
Judgment or Execution stayed by Injunction, to be proceeded upon immediately after the Dissolution thereof.

Sales made thereon, on the 20th day after Publication.

And be it, and it is also enacted by the Authority aforesaid, that the Party or Parties at whose Suit any Person shall stand charged in Execution for any Debt or Damage recovered, his or their Executors or Administrators may, after the death of the said Person so charged, and dying in Execution, or during the life of the party so in Execution, lawfully sue forth, and have new Executions against the Goods, Chattels, Lands, Tenements, Hereditaments, Rent Charges, Annuities and Debts of the Person so deceased or being in Execution, in such manner and form to all Intents and Purposes as he, they, or any of them might have had by the Laws of this Island, if such Person so deceased or being in Execution, had never been taken in Execution; and upon satisfaction by any Execution levied upon such Lands, Tenements, Hereditaments, Rent Charges, Annuities and Debts, the Party living and being in Execution, shall be enlarged against that Execution only, so satisfied upon an *Audita Querela*, paying the Marshal's and Gaoler's fees.

Clause LXXXVII.
New Executions may be sued out against effects of Persons dying or charged in Execution.

And be it further enacted and ordained, That no Execution shall issue upon any Judgment which has laid dormant for the space of One Year and a Day, unless a *Scire Facias* shall issue thereupon, except where the Plaintiff has been held under Injunction in Chancery, or Order of the Court of Chancery, or by Writ of Error, and it shall appear by Affidavit in Writing filed in the Secretary's Office in case of such Injunction, that the Plaintiff was so held under Injunction.

Clause LXXXVIII.
No Execution to issue on a Judgment which has laid dormant for one year and a day, unless *Scire Facias* issue, except where Plaintiff has been held under Injunction, or Writ of Error.

And be it enacted by the Authority aforesaid, That on the Monday next preceding the day fixed for the Court of *Common Pleas* in each Month, and on any other day or days by adjournment, not exceeding seven days (when the Court of *Common Pleas* shall not be sitting) there shall be held in the Court House aforesaid, a Court to be called "The Court of Complaints," in which all Actions for sums not exceeding Ten Pounds Current Money of *Grenada*, founded on simple Contracts, Notes in Writing, Orders in Writing, or accepted Orders, or for the balance of any Account settled under the Hand or Hands of a Defendant or Defendants, or for the balance of any other Account which did not originally exceed Thirty Pounds Current Money (but no other kind of Action, nor for any collateral promise for

Clause LXXXIX.
A Court of Complaints to be held on the Monday next preceding the day, fixed for the Court of *Common Pleas*.

Actions for sums not exceeding ten pounds to be determined therein.

a Debt or Duty due from another) may be examined, heard, and determined on a Complaint, by the Court without any verdict of a Jury; and every such Complaint shall be served at least forty-eight Hours before the first day of holding the Court, at which it requires the Parties' appearance, by leaving the same or a copy thereof with the Defendant, or at his usual place of Abode; and in default of such service in time, the Complaint shall be continued to the second Court of Complaints, and the service shall be good for such second Court next after such service, and the Plaintiff in a Complaint where an Account is depending, shall make and lodge in the Secretary's Office, two copies of such Account in Writing, one of which copies shall remain in the Office, and the other shall be annexed to the Complaint served on the Defendant, and any Defendant in such Complaint, having a demand against the Plaintiff previous to the bringing of the said Complaint, shall and may set off the same in discount of the Plaintiff's demand, giving to the Plaintiff twelve hours' notice thereof before the next Court of Complaints, and if he shall not make such set-off, the Judgment in such Complaint shall and may be pleaded by the Plaintiff in Bar of any demand of equal nature which the Defendant had against him, upon any Complaint to be thereafter brought by the Defendant for the same: and on hearing and determining Complaints, the Plaintiff or Plaintiffs may be examined on Oath, to prove such demand, and the Judge after hearing the Defendant thereupon, is also authorised and empowered if he shall see occasion so to do, to ask the Defendant on his or her Oath, such questions as shall appear to him proper or necessary to discover the truth of the dispute between the Parties, and in all such Complaints mutual credit shall be given, and Judgment entered only for the balance due, and where Executors and Administrators are Defendants to such Complaints, they may plead fully administered generally *Ore Tenus*, and a short entry thereof shall be made by the Secretary in the Complaint Book under the Complaint, and the Plaintiff shall have time to the next Court of Complaints to join issue thereon; And that Complaints may not be multiplied, the Judgment obtained on a Complaint shall and may be pleaded *Ore Tenus* in Bar to any other Complaint which may be afterwards brought by the same Plaintiff, for any demand subsisting against the same Defendant at the time of entering such first Complaint, if such demand were in its nature cognizable by the said Court of Complaints, and the Executions upon Complaints shall be to take and sell for ready Money, by Outcry, in the Town of *Saint George*, in this Island, in twenty days, the Defendant's Goods and Chattels, and in Default thereof the Defendant's body: but if the said Defendant lives in *Carriacou*, then his Effects shall be sold there; but where Executors or Administrators are Defendants, the Execution shall be of the Testator's or Intestate's Goods and Chattels.

And be it enacted by the Authority aforesaid, That in case the Plaintiff or Defendant in any Complaint, or his or their Witness or Witnesses, shall be prevented by sickness, or otherwise disabled from attending the Court appointed for determining such Complaint, then the deposition of such Plaintiff or Defendant, or his or their Witness or Witnesses taken before any of the Justices of the Court of *Common Pleas*, shall be held, taken, and esteemed as good evidence in such Complaint, as if the Plaintiff or Defendant, or his or their Witnesses, had given their Evidence *viva voce* in Court, either Party first giving to the other Eight Hours notice of the time and place of taking such deposition, by delivering such notice to the opposite Party, or his or their lawful Attorney, or leaving the same at his or their last or most usual place of Abode, and proving the service thereof.

And be it enacted by the Authority aforesaid, That the Provost-Marshal or his lawful Deputy shall make such Return as the case shall require, on each Execution, directed to him as aforesaid, by Indorsement thereon, to be signed with his name, and shall lodge the same within three days at furthest after the day the same was made returnable, in the Secretary's Office,

Complaint to be served 48 hours before the sitting of the Court.

In default of service, complaint to be continued to the second Court. Plaintiff shall lodge in the Secretary's Office the Copies of Account.

Defendant having a demand against the Plaintiff, may set off the same in discount giving Twelve hours notice.

If not set off, Judgment may be pleaded in Bar.

Plaintiff may prove his Demand.

Mutual Credit to be allowed and Judgment entered only for balance.

Executors or Administrators may plead *Plene Administravit, Ore Tenus*.

Plaintiff allowed time till next Court to join issue.

Judgment may be pleaded in Bar.

Execution to take and sell for ready Money in twenty days, Defendant's Goods and Chattels. And in Default thereof Defendant's Body.

Execution against Executors or Administrators.

Clause XC.

Deposition of Plaintiff or Defendant, or their Witnesses allowed to be Evidence.

Upon giving Eight Hours Notice of taking such Deposition.

Clause XCI.

Marshal to make Return on Execution.

under the penalty of One Hundred Pounds Current Money of this Island, to the use of the Plaintiff or Plaintiffs in the said Execution, to be recovered by the party grieved, his, her, or their Executors or Administrators, with treble costs; in any Court of Record in this Island, by any Action of Debt, or Case, Bill, Plaint or Information, to be brought within two years next after such neglect, wherein no Essoin, Protection, or Wager of Law shall be allowed; Provided nevertheless, That the Plaintiff or Plaintiffs in the said Execution, may take his, her, or their Remedy, against the Marshal or his Deputy, or the Security or Securities of either of them for any further or other Damage, which he, she, or they, may have sustained by Reason of such neglect of the Marshal or his Deputy, any thing herein contained to the contrary notwithstanding: And the Secretary or his Deputy is hereby required immediately to file the said Execution and return with the other proceedings in the said Cause, and to give an attested copy thereof on request to the Plaintiff or Plaintiffs in the said Execution, under the same penalty as is hereinbefore inflicted on the Marshal or his Deputy for their neglect, to be recovered within the same time, and in like manner, and to the same uses as hereinbefore mentioned, and the Secretary or his Deputy for filing the same, shall receive and take the sum of Three Shillings Current Money, and the like fee for each attested copy of such Execution and Return, and no more, which fees may be charged to the Plaintiff or Plaintiffs in each Execution and be allowed in Costs.

Under £100 Penalty to the Use of the Plaintiff.

Proviso.
Plaintiff allowed further Remedy against Marshal, or his Securities.

Secretary to file Execution, and Return, and give Copies.

Secretary's Fees for filing Execution 3s. and for each Copy 3s.

And whereas, the Marshal is by this Act obliged to make Return, and deliver all Executions into the Secretary's Office within Thirty days;

Preamble.

Be it and it is enacted by the Authority aforesaid, That notwithstanding any Return of *Nulla Bona* or *non est inventus*; yet if it shall thereafter happen, that the Body or Goods of the Defendant may be found, the Marshal shall and may proceed to levy on such Goods, or take the Body of such Defendant after the Return, by virtue of the same Execution, without further Writ or Order.

Clause XCII.
Marshal may levy after Return of *Nulla Bona*, or *non est inventus*.

And be it also enacted, by the Authority aforesaid, That Executions shall be levied by the Marshal in the course in which they shall have been received, under penalty of answering damages to the Party grieved, by Action on the case, in any Court of Record in this Island, with full costs, and the Marshal shall not on any pretence change or alter the order and course in which such Executions shall have been delivered, and the Marshal is hereby required to keep a fair and distinct book of Executions, with the folios regularly figured and numbered, wherein shall be entered the names of Plaintiffs and Defendants in every Execution, and the hour of the day, and day of the month and year, when such Execution was received, with a double Alphabet, to be kept in the same manner and form as the Secretary's Docket Book of Judgments is hereinbefore directed to be kept, upon pain of being fined One Hundred Pounds Current Money of *Grenada*, for each neglect of duty therein proved against him; and he shall within Forty-eight Hours after Request, give to any persons requiring the same, an Account in Writing of all Executions come to his hands, for or against any Person or Persons, specifying the Parties' Names, the amount of each Execution, and time of receiving, under the like penalty of One Hundred Pounds Current Money of *Grenada*, for each refusal or neglect, to be recovered with Costs at any time within two years next after such refusal or neglect, in the same manner, and to the same uses as in cases of neglecting or refusing to give the Receipt required, on delivering an Execution, and the Marshal or his Deputy shall be entitled to receive one One Shilling and Six Pence Current Money of *Grenada*, and no more, for each Execution contained in every such Account of Executions upon the Delivery thereof, and Nine Pence like Money for entering each Execution in the Book, and no more.

Clause XCIII.
Marshal to levy Executions in the course he receives them, and not to change or alter the course in which they were delivered.

Marshal to keep an Execution Book.

With a double Alphabet.

Fine of £100 for Neglect.
To give 48 hours after request, an account of Executions under the like Penalty.
Vide Act, No. 137.

His Fee 1s. 6d. for each Execution.

And be it and it is further enacted, by the Authority aforesaid, That notice of the time and place of all Sales, by Outcry of Goods or Chattels, Notice of the Time

Clause XCIV.

and Place of all Sales of Goods, or Chattels, to be given by the Marshal in the Gazette. shall be given by the Marshal or Deputy Marshal, by publication thereof to be made in the Weekly Gazette of this Island; and if no such Gazette shall be printed, then by publication thereof to be made and set up in Writing in the several Towns of this Island.

Clause XCV. And be it also enacted, by the Authority aforesaid, That at furthest Marshal within ten Days after Levy on Lands or Tenements, to advertise Sale thereof in the Gazette. within ten days after levying on Lands or Tenements, the Marshal or Deputy Marshal shall cause Notice to be given in the Weekly Gazette of this Island, if any such Gazette shall be then printed, of the particulars levied on, the situation thereof, and the day of sale; and if no such Gazette shall be printed, he shall give the like notice by publications thereof in Writing, to be affixed upon the front Door of the Court-House in *Saint George's Town*, and in some conspicuous place in each of the Towns of this Island.

Clause XCVI. All Sales to be for Current Money. Marshal to give Receipt for Purchase Money, and to Defendants making Payments without Fee or Reward. £50 Penalty. And be it further enacted by the Authority aforesaid, That the Marshal or Deputy Marshal shall make all sales for Current Money only, and for no other sort of payment; and he is hereby directed and required on demand, and without fee or reward, to give receipts in writing to all Purchasers of Effects sold, and to every Defendant or his Attorney making payment towards discharge of any Execution, specifying the particular sum or sums received, and on what Account, under penalty of Fifty Pounds Current Money of Grenada, and treble Costs, which shall be recoverable, and may be sued for in the like time and manner, and to the same uses as the penalty for neglecting or refusing a Receipt for an Execution, is hereinbefore made recoverable.

Clause XCVII. Marshal compellable to account upon Oath for Monies received or neglected to be received for Purchases or on account of Executions. Proceedings against the Marshal on such occasion. And be it enacted by the Authority aforesaid, That from and immediately after the time by this Act directed for payment of any Purchase Money, or immediately on the payment of any sum being made on Account, or in discharge of any Execution or Executions, any Plaintiff present, or the Attorney of any Plaintiff absent, who shall conceive him or herself entitled to receive such Money, or any part thereof, and to whom the same shall have been refused by the Marshal or Deputy Marshal, shall and may apply to any one of the Justices of the Court of *Common Pleas* for a Summons, to be directed to the Provost-Marshal or his Deputy, or any of his Servants, requiring him or them to appear before such Justices at a certain day, hour and place therein to be specified, then and there to answer, upon Oath, all such Interrogatories as shall be exhibited to either of them, touching the Receipt or Payment of such Purchase Money, or any other Monies paid in discharge or on Account of any Execution, and any material Witness or Witnesses for the Plaintiff or Plaintiffs, may be summoned in like manner, and compelled to give their attendance, and answer Interrogatories in like manner, under the same penalty and process as hereinbefore directed, for the attendance of Witnesses in Court; and if upon such Examination upon Oath, it shall appear that any Purchase or other Monies to which the Plaintiff is entitled has been paid to or received by the Marshal or his Deputy, or by any of his Servants, or by any person or persons by his or their order or directions in discharge or on Account of such Execution, or that the said Provost-Marshal or his Deputy hath neglected to receive any such Monies, such Justice may order the same to be paid to such Plaintiff or Plaintiffs; and if the Marshal or his Deputy shall not pay such Monies so received or so neglected to be received by him or them, and so ordered to be paid in six days after such examination, and order of the said Justice thereon, then and in such case, such Justice is hereby empowered and required to award an Execution against such Marshal or his Deputy, to be directed to the Coroner of this Island, commanding him to levy on the Goods and Chattels, Lands, Tenements, Hereditaments, Rent Charges, Annuities and Debts of such Marshal or Deputy Marshal, for such sum as shall appear upon such Examination to have been received or neglected to be received as aforesaid by him or them, with Twenty per Centum on the same, which Goods and Chattels, Lands, Tenements, and Hereditaments,

or so much thereof as shall be sufficient to pay the sum ordered to be paid with the forfeiture aforesaid, with costs, shall be sold immediately by such Coroner, at any time of the year, in the Town of *Saint George*, for ready Money, to be paid down at the time of such sale, into the Hands of the Plaintiff or Plaintiffs in such last mentioned Execution, or his, her, or their lawful Attorney or Attornies, and for want of sufficient Goods and Chattels, Lands, Tenements and Hereditaments, then the Body of such Marshal or Deputy Marshal shall be taken and held in Execution until full payment and satisfaction of the said Execution and Costs, and the Justice who shall attend at such Examination, and award such Execution, shall have for his fee the sum of One Pound Ten Shillings and Four Pence Current Money, which, with the other Costs for Counsel's attendance on such Examination, shall be also taxed in Costs against the Marshal or Deputy-Marshal in such Execution, and the said Coroner shall have and take all such fees of Levy and Sale as the said Provost-Marshal is entitled to take on Execution; all which proceedings shall be entered at large under the entry of the original cause, in the Secretary's Book for entering Actions. Provided nevertheless, that the Plaintiff or Plaintiffs in such original Execution, may take his or their remedy against the Surety or Sureties of such Marshal or Deputy-Marshal, any thing herein contained to the contrary notwithstanding; and the Coroner upon sale of the Marshal's Goods and Chattels, Lands, Tenements and Hereditaments taken on such Execution, is hereby authorised to make and execute deeds of sale and conveyance, and acknowledge and suffer every other lawful act and deed to the Purchaser or Purchasers, which the Marshal is hereinbefore or hereinafter authorised to do on the sale of Goods and Chattels, Lands, Tenements, and Hereditaments taken in Execution and sold by him.

Proviso.
Plaintiffs may take their remedy against the Marshal's Sureties.

And be it enacted by the Authority aforesaid, That if the Marshal upon such Examination shall appear to have done his duty on such Execution, then, and in such cases, the Justice is hereby authorized and empowered to tax reasonable Costs to the Marshal, and to award Execution for the same against such Plaintiff or Plaintiffs, his, her, or their Goods, Chattels, Lands, Tenements and Hereditaments, which shall be put up to Sale, and sold by the said Marshal, in manner hereby before directed for the sale of his Goods and Chattels, Lands, Tenements and Hereditaments, and for want of sufficient Goods and Chattels, Lands, Tenements and Hereditaments, then the body or bodies of such Plaintiff or Plaintiffs may be taken in Execution, and shall be imprisoned until such Execution shall be paid and satisfied.

Clause XCVIII.
Marshal appearing to have done his duty, to be allowed Costs.

And be it also enacted, by the Authority aforesaid, That in case the Marshal or Deputy Marshal shall unduly make any delivery of Goods or Chattels, taken in Execution, without observing the methods of proceeding and taking Bond as herein-before directed, or if a Bond shall have been taken by such Marshal or Deputy Marshal in his own name, and he shall refuse to assign it as herein-before directed, in six days after the demand, or if a Bond shall have been taken in the name of the Plaintiff or Plaintiffs, and the Marshal or Deputy Marshal shall refuse or neglect to deliver it in such six days to the Plaintiff or Plaintiffs, his, her, or their Counsel or Attorney requesting the same, the Marshal or his Deputy shall answer in every such case to the Plaintiff or Plaintiffs, the amount of his, her, or their Executions, with Twenty per Cent. thereon, and treble costs of suit for default of duly taking such Bond, or for default of so assigning or delivering the same to the Plaintiff or Plaintiffs, his, her, or their Counsel or Attorney upon such request; and the like summons of parties and Witnesses, Examination, Order and Award of Execution, Sale and Conveyance shall and may be had, made, and issued, to enforce the payment of the sums for which the Marshal or Deputy Marshal is hereby made answerable with the like costs and fees thereon as are herein-before directed to be had, made, and to issue to enforce the payment of Monies neglected or refused to be paid when received by such Marshal or Deputy Marshal; and if any

Clause XCIX.
Marshal unduly delivering Goods, or Chattels, taken in Execution, or refusing to assign forthcoming Bonds in six days, answerable to Plaintiff for amount of Execution, with 20 per Cent. and treble Costs.

Proceedings in such case. Marshal paying such Monies may make use of Plaintiff's Execution to repay himself, except the 20 per Cent. and Costs of proceedings against himself.

such Monies shall be levied for, or paid by the Marshal or Deputy Marshal, he may make use of the Plaintiff's Judgment and Execution so far as to repay himself so much as has been paid by or levied on him, except that he shall not be entitled to levy any Twenty per Cent. or the Costs of any proceedings had against him.

Clause C.

Marshal to make conveyances of Lands, and Tenements sold in Execution, to Purchasers.

Conveyances to be acknowledged before the Register, or otherwise proved and recorded.

Marshal to put Purchasers in quiet possession if required.

Sales or Certificates only sealed, sufficient for Goods and Chattels.

Clause CI.

Marshal's Conveyances executed whilst Tenant in Tail lives, bar Entails, Reversion and Remainder.

Clause CII.

Marshal as Gaol Keeper answerable for all escapes of Criminals and others.

Clause CIII.

Marshal to receive only common Fees for Levy and Sale, and to deduct such Fees only in proportion to the sums paid to each Execution Creditor.

Preamble.

And be it also enacted by the Authority aforesaid, That Conveyances of Lands, Tenements and Hereditaments sold in Execution, shall be made by the Provost Marshal or Deputy Provost Marshal of this Island, at the Costs of the Purchasers thereof, and shall be good to such Purchaser or Purchasers, their Heirs, Executors, Administrators and Assigns for such Estate, Trust, Equity of Redemption and Interest therein, as the party from whom they were taken by Execution could have made or granted, or was entitled to and no longer or otherwise, so always as the Conveyances passing any such Lands, Tenements or Hereditaments, be acknowledged before the Register of this Island, or his Deputy for the time being, or otherwise duly proved and recorded in the Register's Office, as the Laws of this Island require; and the Marshal or Deputy Marshal for the time being, shall, and is hereby directed and empowered to put all Purchasers of Lands and Tenements, in quiet possession if required so to do; and the Marshal or Deputy Marshal's Sales or Certificates only not sealed shall be a sufficient title to the Purchasers for all other Effects sold as far as the person or persons from whom they were taken had title thereto.

And be it further enacted by the Authority aforesaid, That all deeds of sale or other Conveyances which shall be executed by the Marshal or Deputy Marshal, by virtue of this Act, and duly acknowledged or proved and recorded, if executed, while the Tenant in Tail lives, shall be to all intents and purposes, as effectual to bar Entails, Reversions, and Remainders of the Lands, Tenements, Hereditaments and Rent Charges, with the Appurtenances, Issues and Increases as if the Tenant in Tail had himself levied a Fine or Fines with Proclamations, or suffered a common Recovery or Recoveries of such Lands, Tenements and Hereditaments in any of His Majesty's Courts of Record at Westminster, and duly executed deeds, leading the uses of such Fine or Fines or declaring the uses of such Recovery or Recoveries to be made, to the Purchaser or Purchasers to whom the Marshal or Deputy Marshal makes such Deeds or Conveyances, and to his or their Heirs and Assigns for ever, or as if the Premises thereby conveyed, had been bargained, sold, conveyed, or set over by any the firmest Deed or Deeds, Conveyance or Conveyances, Assurance or Assurances in the Law that could be advised or devised by Counsel, learned in the Law.

And be it enacted by the Authority aforesaid, That the Marshal or Deputy Marshal shall be answerable as Gaol Keeper, for all Escapes of Criminals and others out of Gaol, and be deemed the Gaol Keeper of this Island.

And be it enacted by the Authority aforesaid, That in all cases whatsoever, the Marshal or Deputy Marshal shall not be entitled to any Fee or Reward, for receiving or paying Monies in his said capacity, nor be paid any other than the common Fee for Levy and Sale, which Fees the Marshal shall not retain wholly to himself out of the first Monies by him to be received, but he shall be entitled to deduct only *Pari Passu*, and in proportion to the sums paid by him to each Execution Creditor.

And whereas doubts may arise how far the Executions which had issued out of the Court of *Common Pleas* or Court of *Complaints* heretofore subsisting in this Island, and which remained opened and unsatisfied at the time of the conquest thereof, are still valid and effectual for the benefit of the respective Plaintiffs therein, and how far the Marshal or Deputy Marshal is authorised or can be compelled to proceed against the Defendants named in such Executions; And whereas, many such Defendants have made Payment in discharge of those Executions during the time of the French Government, which Payments not appearing in the Marshal's

Books, such Executions if proceeded on as they now stand, would occasion Levies to be made for much larger sums than are justly due thereon, to remove therefore all such Doubts and to prevent the Injustice which might otherwise arise,

Be it enacted by the Authority aforesaid, That all and every the Executions issued out of the Court of *Common Pleas* or Court of *Complaints* heretofore established and subsisting in this Island, shall be deemed and are hereby declared to be no way annulled or destroyed by the Capture of the Island, or by the Introduction and Establishment of the French Laws, but to be as good, valid and effectual, and to preserve their due order and course of priority, and shall and may be proceeded on (subject to the restrictions hereby imposed) as if the same Court of *Common Pleas* and Court of *Complaints* had subsisted and continued to be held without interruption; Provided always, nevertheless, that the Marshal or Deputy Marshal shall not be at liberty, nor compellable to proceed either against the Property or the Person of any Defendant, by virtue of any Execution issued before the Fourth Day of July, One Thousand Seven Hundred and Seventy-nine, until the Plaintiff or Plaintiffs therein, his, her, or their lawful Attorney or Attornies, or the Executors or Administrators of such Plaintiff or Plaintiffs, if dead, shall give fresh orders in writing directing proceedings to be had thereon, nor until he, she, or they shall also deliver to the Marshal or Deputy Marshal an Affidavit in writing made by the party or parties ordering such proceedings, duly sworn before one of the Justices of the Court of *Common Pleas* of these Islands, specifying the amount or balance still remaining due on such Execution, and deposing positively if such Affidavit be made by the Plaintiff or Plaintiffs, and to the best of the knowledge and belief of the Deponent, if such Affidavit be made by an Attorney, Executor, or Administrator, that the amount or balance there specified is still justly and truly due from the Defendant or Defendants in such Execution, and that the same hath not been in any manner paid, settled in Account, or otherwise satisfied; and provided also, that no greater amount shall be levied for than the sum or sums so sworn to and directed to be levied, although there should be in the Marshal's Books other Executions not sworn to, against the same Defendant or Defendants appearing unsatisfied, prior in course to that or those so sworn to, and for which such Levy shall be directed to be made, but in case of any prior Execution or Executions the Marshal shall and may proceed in manner hereinafter directed.

And to the end that such prior Execution Creditors may not be prejudiced for want of Notice of Levy being directed to be made by any subsequent Execution Creditor or Creditors,

Be it enacted by the Authority aforesaid, That whenever any such Affidavit and Order for levying as hereinbefore mentioned shall be delivered to the Marshal or Deputy Marshal by or on behalf of any Plaintiff or Plaintiffs whose Executions were antecedent to the Fourth day of July, One Thousand Seven Hundred and Seventy-nine as aforesaid, or whenever any new Execution shall hereafter be lodged and proceeded on, the Marshal or Deputy Marshal shall, and is hereby required to search for and make out a List in Writing of all the unsatisfied Executions in his Office against the same Defendant or Defendants, issued before the said Fourth Day of July, One Thousand Seven Hundred and Seventy-nine, and which are prior to the Execution so directed to be levied as aforesaid, and the Marshal or Deputy Marshal shall cause to be published for three successive Weeks in the Gazette of this Island, such Lists containing the names of the several Plaintiffs, and of the Defendant or Defendants in such prior Executions, with a notice thereunder, signifying that a levy hath been directed to be made against the above named Defendant or Defendants by a Creditor whose Execution is subsequent in Course to those of the Plaintiffs specified in the above list, and that if the Plaintiffs in the said list do not

Clause CIV.
Executions issued before the Conquest of the Island, declared valid, and to preserve their due Order and course of Priority.

Proviso.
Marshal not at liberty or compellable to proceed thereon until Fresh Orders given in writing, and an Affidavit of the sum due, filed in his Office.

Proviso.
No more than sum sworn to be levied.

Preamble.

Clause CV.
When Affidavit and Order for levying is delivered to the Marshal, or new Execution lodged, he is to publish a List of prior unsatisfied Executions against the same Defendants for three Weeks in the Gazette.

within two months next after the date of such publication, lodge Affidavits of the sums due in such Executions respectively, the Money to be raised by the levy directed as aforesaid, will be paid and applied for the benefit of the Execution Creditor directing the same, without regard to the prior Executions in such list contained, for the expence of which publication the Marshal or Deputy Marshal shall and may reimburse himself out of the first Monies to be levied or paid into his hands on Account of the Execution against the same Defendant or Defendants; and the Marshal or Deputy Marshal is hereby authorised and required to retain in his hands the Monies to be raised by such Levy, or which shall be otherwise paid in by the Defendant in discharge of such Execution until the full expiration of the time mentioned in such notice; And if at the expiration thereof no Affidavit shall have been lodged by or on behalf of any such prior Execution Creditor, the Marshal or Deputy Marshal shall and may, and is hereby authorised and directed to pay such Monies to or to the use of the party or parties directing such levy to be made, and this notwithstanding such prior Executions appearing to be still unsatisfied; but if before the expiration of such Notice any such Affidavit or Affidavits as hereinbefore directed, shall be made and lodged by or on behalf of any such prior Execution Creditor or Creditors, then the Marshal or Deputy Marshal shall, and is hereby required, to apply the Monies which shall be levied or otherwise paid into his hands, on Account of such Defendant or Defendants, in discharge of the several Executions for which Affidavits shall be so lodged in their due Course of Priority, without regard to those for which no such Affidavit shall be lodged as aforesaid, and shall, if need be, make a further levy for the satisfaction of the Plaintiff or Plaintiffs, who first directed such levy to be made; Provided always, that nothing herein contained shall be construed to extend to vacate or destroy such prior Executions, but that the Plaintiff or Plaintiffs therein, their respective Attornies, Executors or Administrators shall be at Liberty, and may at any time afterwards within the time limited, or to be limited by Law for dormant Executions, direct proceedings to be had on their respective Executions, and receive the Benefit thereof upon lodging such Affidavits as are hereinbefore directed to be made, as fully and effectually as if the same had been lodged in the first instance, and within the time mentioned in such public notice.

Preamble. And to prevent all doubts or disputes about the just application of the Monies so to be levied, or about the lodging of such Affidavits as are hereinbefore directed;

Clause CVI. Be it enacted by the Authority aforesaid, that the Marshal or Deputy Marshal shall, and he is hereby required, to minute the time of lodging every such Affidavit, and shall give a receipt to the party for the same in like manner for the same Fee, and under the same penalty in all respects as he is hereinbefore directed to minute and give Receipts for Executions, when first delivered into his Office.

Clause CVII. And be it enacted by the Authority aforesaid, That all Recognizances entered into for the purchase of Land and Tenements, and all Bonds given for the forthcoming of Effects in pursuance of the Law heretofore subsisting in this Island, at the time of the capture thereof, shall be deemed and are hereby declared to be no way annulled, vacated, or defeazanced, unless the Monies thereby secured have been since paid or satisfied; and that whenever any levy or proceedings shall hereafter be directed to be made on any Execution prior to the Fourth of July, One Thousand Seven Hundred and Seventy-nine, in manner hereinbefore directed, and the Money due on such Execution shall appear to have been secured by any such Recognizance or Bond as aforesaid, the Marshal or Deputy Marshal shall and may, upon the request of any Plaintiff or Plaintiffs, but not otherwise, proceed on any such Recognizance and Bond respectively, as if the same Law had subsisted and continued in force without Interruption.

Prior Execution Creditors not lodging Affidavit in two Months, Marshal to pay Money arising from Sale of Defendant's Effects to the Party directing Levy.

Proviso. Nothing herein contained to vacate or destroy such prior Executions.

Clause CVI. Marshal to minute the time of lodging Affidavit.

Clause CVII. Recognizances and Bonds given before the Capture, valid.

Whenever Levy or Proceedings directed on Executions secured by Recognizance or Bond, Marshal to proceed therein as usual.

Provided always, that ten days notice in writing shall be given by the Marshal or Deputy Marshal of his intention to proceed on such Recognizance or Bond respectively, which notice shall be given to each of the parties therein bound, if living and present in the Island, and to the lawful Attorney of each of them, if they shall be absent and have such Attorney; and every such party shall and may, by motion in Court, or by application to a Judge at his Chambers, when the Court is not sitting, offer any good cause or matter why such Recognizance or Bond should not be put in force against him, so as four days notice of such motion or application be duly given in writing, to the Plaintiff in such Execution, his Counsel or Attorney who directed the levy; and the Court or Judge respectively, shall and may, by rule or order, give such relief to the parties as is agreeable to Justice and Reason, and such rule or such order (if confirmed by the Court) shall have the nature and effect of a Defeazance of such Recognizance or Bond.

Proviso.
Marshal to give ten Days Notice to each of Parties bound of his Intention to proceed.

Party may shew Cause why Recognizance or Bond should not be put in force upon giving four Days Notice.

Whereas an Act intituled an Act for re-establishing a Court of *Common Pleas* and a Court of *Complaints* was made and passed on the Twenty-seventh day of March in the year One Thousand Seven Hundred and Eighty-four, to continue and remain in force for the space and term of two years from the date thereof; And whereas, by another Act made and passed on the twenty-first day of July, in the year One Thousand Seven Hundred and Eighty-five, the said first recited Act was continued from the expiration thereof for the space and term of two years. And whereas by another Act made and passed on the second day of February, in the year One Thousand Seven Hundred and Eight-eight, the said first recited Act was further continued from the last expiration thereof for the space and Term of two years, and from thence to the end of the next Session of the Council and Assembly. And whereas from inattention the said first recited Act was allowed to expire some time in this present year, and the several Judges and Officers of the said Court having continued to hold Courts, file Actions, issue Processes, and proceed thereon through Ignorance of the said Act having expired, and doubts may arise whether the said Proceedings are legal, which might create great confusion in the business of the said Court, for remedy thereof;

Preamble.

Be it enacted by the Authority aforesaid, That all matters whatsoever done by any of the Judges of the said Court, or by the Secretary or Deputy Secretary, or by the Deputy Provost Marshal since the expiration of the said Act of the Twenty-seventh day of March, One Thousand Seven Hundred and Eighty-four, conformably to the said Act, and which would have been legal and effectual, and done with sufficient Authority if the said Act had never expired, shall be deemed and taken, and the same are hereby declared to be legal, valid, and effectual Acts, and no such Officer shall be called in question, or liable to be sued or prosecuted for any such matter by him done as aforesaid.

Clause CVIII
All Acts done since the Expiration of the former Act declared valid.

And be it further enacted by the Authority aforesaid, That all actions entered, all Judgments obtained in the said Court of *Common Pleas* and *Complaints*, and all Executions issued thereon, since the expiration of the said recited Act, may be proceeded on in due course, and in the same manner as if the said Act had never expired, but had remained in full force, and that all Recognizances entered into for the purchase of Lands and Tenements, and all Bonds given for the forthcoming of Effects shall be deemed, and are hereby declared to be in full force, and may be proceeded upon in the same manner as if the said Act had subsisted and continued in force without having expired.

Clause CIX.

All Actions, Judgments, Executions, entered, obtained, and issued since the Expiration of former Act, may be proceeded on, and all Recognizances and Bonds declared valid.

And in order that all persons may know with certainty the Fees to be paid for any matter to be done in pursuance of this Act;

Preamble.

It is hereby enacted and ordained by the Authority aforesaid, That the Chief Justice of the Court of *Common Pleas*, hereby established, or, in case of his death or absence, the next senior Justice, and the Secretary, or Deputy Secretary, and the Marshal, or Deputy Marshal of this Island, and each of

Clause CX.

Dockets of Fees to be hung up in the Secretary's Office,*

within One Month, and no other Fees to be added or inserted in such Docket, under £100 Penalty.

New or further Dockets to be hereafter settled, to be in like manner affixed in Secretary's Office, within One Month after the same shall be settled under the same Penalty.

£20 Penalty for each Day after the Expiration of the Month, on Officer not affixing his Docket.

them for the time being, shall and are hereby required to have a Docket in a fair and legible manner, written both in Words at length, and in arithmetical Figures, of all Fees whatsoever, for any Branch or Part of their respective Offices which have been, and continue now settled and appointed, for them to take respectively by Authority of the Governor-in-Chief of these Islands, with advice and consent of the Council of *Grenada*, and they are hereby respectively required to cause such Dockets to be fixed up in some conspicuous place in the Secretary's Office of the Island for the time being, within One Calendar Month next after the date of this Act, and no other Fee or Fees shall be added to or inserted in any such Docket so to be fixed up under penalty of forfeiting each One Hundred Pounds Current Money for every such new Fee inserted therein, and if that any new or further Docket or Dockets of Fees shall hereafter be settled for either of them by the Authority of such Governor-in-Chief and Council, or the same shall be otherwise settled by the Legislature of these Islands, then each of them for whom the same shall be so settled, shall cause such new or further Docket or Dockets so to be in like manner affixed up in the said Secretary's Office as aforesaid, within One Calendar Month next after the same shall be so settled, under the penalty of forfeiting One Hundred Pounds, like Money, by the Person making Default, and the Secretary or his lawful Deputy of this Island, for the time being, and each of them is hereby enjoined and required, under the like Penalty of One Hundred Pounds, to permit the same Judge's and Marshal's Docket so settled or to be settled and fixed up in the said Secretary's Office for the time being, and there to continue fixed up, not causing, or willingly suffering the same to be any ways defaced or altered. And all such Dockets so to be fixed up, shall, for the first time of fixing up, be attested to be true copies under the respective Hands of the persons whose Fees are specified therein; and in case the said Dockets shall not be respectively fixed up, then the Chief Justice, or in case of his death or absence, such senior Justice, Marshal, or Deputy, Secretary or Deputy respectively, shall, for each day after the expiration of the Calendar Month respectively allowed for fixing the same up, forfeit Twenty Pounds like money, until such Docket or Dockets so already settled, or hereafter to be settled, shall be so fixed up as aforesaid, according to the directions of this Act, in order to be there continued; and when once the same Dockets have been so respectively fixed up, if the same or either of them, or a new copy thereof to be so set up as hereinafter directed, shall happen to be considerably defaced, or shall be torn, fall, or taken down, the Secretary or his Deputy for the time being shall, when, and as often as there shall be occasion in One Week after such defacing or tearing, taking, or falling down, fix up a-new, as before directed, a fair copy or copies of such Docket or Dockets from the Council Book, signed with his name and hand as Secretary or Deputy Secretary, whether it be his own Docket, or that of the Judge, or Marshal, under the penalty of forfeiting Five Pounds, like Money a day, for each day default shall be made in so new setting up a new copy of every Docket wanted, and the Secretary shall be allowed in his public Accounts with this Island a reasonable Fee for the same new copy; and all the said penalties herein laid upon the Chief Justice, Senior Judge, Secretary, or Deputy Secretary, Marshal, or Deputy Marshal, shall be recoverable in the Court of Common Pleas hereby established, by Bill, Information, or Action of Debt, or by Information before Justices of Oyer and Terminer, of Gaol Delivery, or by Justices of the Peace in their Sessions for this Island, One Half to the use of His Majesty, his Heirs and Successors, to be applied to the use of the Public of this Island, and the other half to the person suing for the same, and no Essoin, Protection, or Wager of Law, or Injunction, shall be allowed therein, or any Certiorari be granted, but the same be tried in the Court where sued for, and if the person suing

* See Nos. 56, and 169, for the Dockets of Fees.

do recover, he shall also be allowed full Costs, and pay all Costs if there be Judgment against him, or he be nonsuit or discontinue; And in case the Chief Justice, or Acting Senior Justice, or the said Secretary, or his Deputy, the Marshal of this Island, or his Deputy, shall take more Fees, or other Fees than are mentioned in the said Dockets, upon any pretence either of new or extraordinary Trouble or Business, or otherwise, he or they respectively for every such offence may and shall be indicted at any Court of Oyer and Terminer, and Gaol Delivery, or before Justices of the Peace in their Sessions, or be informed against in the Court hereby established, for Extortion, and fined at the discretion of such Court for any sum not exceeding One Hundred Pounds, nor under Fifty Pounds Current Money of Grenada, for each offence, and such Courts are respectively required, empowered, and authorised to commit the said Offender or Offenders, if present, until he or they pay the said Fine or Fines, one half of which is to go and enure to His Majesty, his Heirs and Successors, for the public uses of these Islands, and the other half to the Person who shall inform and prosecute for the same, in all which cases treble costs shall be recovered if there be Judgment against the Defendant, and the Informer or Prosecutor shall pay costs if he be nonsuit, discontinue, or there be Verdict or Judgment against him, and no Essoin, Protection, Injunction or Wager of Law shall be allowed therein, nor any Certiorari or other Writ before Judgment lie to remove the same, but it shall be tried in the Court where first sued for, and the Chief Justice, and all other Judges and Justices, and the Secretary or his Deputy for the time being of this Island, are strictly hereby required not to tax or allow any greater or other or new Fees either for such Chief Justice, or other Justice, Secretary or Deputy, Marshal or Deputy, than what is allowed by such Docket now settled or to be settled by the Governor-in-Chief and Council, or by the Legislature of these Islands, and all such Taxation shall be void, and the matter of such Taxation shall and may be redressed and settled by the Chief-Governor and the Council of this Island upon petition in a summary way if not redressed upon motion first to be made in this Court.

None but Docket Fees to be received.

Penalty for Extortion.

And be it also enacted by the Authority aforesaid, That such person or persons as shall be sworn in as Secretary, or Deputy Secretary, Marshal, or Deputy Marshal of this Island, shall be the persons understood and meant to be answerable as such by force of this Act, and they shall answer for the Faults, Miscarriages, Forfeitures and Misbehaviour of themselves, and of such persons as they shall employ, but the Secretary's Clerk may as usual attest papers in his name, and the Marshal may employ Bailiffs and Servants, and under Officers, as heretofore, to do the duty of the office, but their Acts shall be deemed as the Acts of the principals, who are to answer respectively for them as aforesaid.

Clause CXI.

Persons sworn in as Secretary and Marshal, answerable as such, and for the Conduct of Persons employed by them.

And be it further enacted by the Authority aforesaid, That this Act shall continue and remain in force for the space and term of two years from the date hereof, and from thenceforth until some other Establishment shall be made and enacted by the Legislature of these Islands for carrying into Execution the purposes intended by this Act.

Clause CXII.

Act to be in force for two Years, and until some other Establishment be made.

No. XXV.

An Act to alter and amend an Act, intituled "An Act for incorporating the Trustees and Directors of the Colony Hospital, and for vesting in them and their Successors, the Lands, Buildings, Ground and other Rents belonging to the said Hospital Estate, and for confirming and enlarging their Powers for the better Management and Disposition of that Charity." [Aug. 23, 1791.]

Vide Act, No. 12.

WHEREAS, by the third Clause of a certain Act of the Legislature of these Islands, intituled "An Act for Incorporating the Trustees and Direc-

Preamble.

“tors of the Colony Hospital, and for vesting in them and their Successors, “the Lands, Buildings, Ground and other Rents belonging to the said Hospital Estate, and for confirming and enlarging their Powers, for the better “management and disposition of the said Charity,” the Governor and Directors of the said Hospital are restrained from granting Leases of Country Lots for a longer Term than Twenty-one Years; And whereas it is necessary to take effectual measures to increase the Funds for the support of the said Hospital, which it is conceived will be best effected by extending the Powers of the aforesaid Governor and Directors, and by enabling them to grant Leases of Country Lots for any Term not exceeding Ninety-nine Years, and to take Fines for the granting of the same;

Clause I.

Be it therefore enacted and ordained, By his Excellency *Edward Mathew*, Esquire, Captain-General and Governor-in-Chief in and over the Island of *Grenada* and such of the *Grenadines* as lie to the Southward of *Carriacou*, including that Island, the Members of His Majesty's Council, and the Representatives of the people of the said Islands in General Assembly convened, And it is enacted and ordained, by Authority of the same, that so much of the said recited Act, as restrains the Governor and Directors of the Colony Hospital from granting Leases of the Country Lots belonging to the Estate of the said Hospital for a longer Term than Twenty-one Years, be, and the same is hereby repealed, and that from and after the Publication of this Act, it shall and may be lawful for the Governor and Directors of the said Hospital, for the time being, to grant Leases of Country Lots belonging to the Estate of the said Hospital for any Term not exceeding Ninety-nine Years, and to renew the same from time to time as they shall judge necessary and expedient, by such forms of Leases in other respects, and with such Covenants, Conditions, Provisos, and Reservations as are directed in the said Third Clause of the before recited Act, and to take Fines for granting of the same, or an increased Rent, or both, at the Discretion of the said Governor and Directors of the said Hospital.

Governor and Directors authorised to grant Leases, not exceeding 99 Years.

Preamble.

And whereas, by an Act intituled “An Act, to make Horses, Mules, “Asses, Coppers, Stills, and Plantation Utensils, Real Estate of Inheritance, “and declaring Widows dowable of them as of Lands and Tenements,” and by another Act to explain and amend the before-mentioned Act, it is declared that all Horned Cattle, Horses, Mules, and Asses, belonging to or employed on any Plantation, shall be real Estate and not Chattels: And whereas Horned Cattle, Horses, Mules, and Asses, are notwithstanding in their Nature, moveable property, and it is but just that the same should be subject to be distrained for Rent Arrear; Be it enacted by the Authority aforesaid, That in case of any Rent being in Arrear upon all or any of the Leases already granted, or hereafter to be granted, of the Hospital Lands by the said Governor and Directors, it shall and may be lawful for the said Governor and Directors, and for such Person or Persons as shall be duly authorised by them for that purpose, to distrain upon and sell for the payment of such Rent Arrear, in manner prescribed by Law, all Horned Cattle, Horses, Mules, and Asses, belonging to any Lessee or Lessees by whom such Rent Arrear shall be due and owing, any thing in the two last Acts herein-before in part recited to the contrary thereof in anywise notwithstanding.

Clause II.

And to distrain on Horses, Mules, and Asses, belonging to any Lessee for Arrears of Rent.

Preamble.

And whereas several Persons possessing the Lands of the said Hospital Estate, hold the same, under Leases from the Superior of the Order of Les Freres de la Charité, during the late temporary Dominion of the French King over these Islands by right of Conquest, and although a Conqueror cannot, during War, alienate any real or immoveable property beyond the period of his possession, yet on Account of the Ignorance under which the Lessees accepted of such Titles, and that they may not lose the Benefit of the Improvements made on such Lots, it is equitable that proper Leases should be granted to the same parties, on the same terms, as are stipulated in their respective French Leases, upon the Lessees paying up the Arrears of their Rents,

Be it enacted by the Authority aforesaid, That it shall and may be lawful for the said Governor and Directors, and their Successors, at a Board assembled, and they are hereby required upon the said Lessees paying up the Arrears of their Rents, to seal, deliver and execute to the several Tenants so in possession as aforesaid, and consenting to seal and deliver counter parts thereof, good, valid, and sufficient Leases, ratifying their Titles to the Lands and Tenements, by them respectively possessed, upon such Conditions, and subject to such Rents and Covenants as the same were originally sold, or intended to be sold and made subject and liable to.

Clause III.
And to ratify and confirm all Leases made during the late temporary Repossession of the Island by the French.

And whereas by the Fourth Clause of the said before recited Act, the Governor and Directors are empowered to employ either constantly, by the Year, or occasionally, as shall be found most expedient, one fit person to act as Treasurer and Secretary, and another as Physician, Surgeon, and Apothecary, to the said Hospital; And whereas it may be necessary, should the Funds of the said Hospital be increased, and accommodations be provided for a greater number of Patients than the confined state of the Hospital Funds at present admits of, to enlarge the powers of the Governor and Directors of the said Hospital with regard to the internal Management of the same: Be it enacted by the Authority aforesaid, That from and after the Publication of this Act, the Governor and Directors of the said Hospital be, and they are hereby authorised and empowered to employ either constantly, by the Year, or occasionally, as may be found most convenient, such persons as they shall find to be best qualified to discharge the duties incident to the charge and internal management of the said Hospital, with such Salaries and allowances as to the said Governor and Directors shall seem proper.

Preamble.

And whereas the Buildings of the present Colony Hospital are not only in a very ruinous state, but even the situation thereof has been found by experience to be exceedingly unhealthy: Be it enacted, by the Authority aforesaid, That it shall and may be lawful for the Governor and Directors of the said Hospital, to make choice of any other situation for a Colony Hospital, more healthy and eligible than the present, and to erect thereon such convenient Building or Buildings as they may think necessary, or to purchase and pay for out of any Monies belonging to, or which may hereafter belong to the said Hospital, all such House or Houses, Lands or Tenements, as they shall deem proper for carrying into effect the purposes of the said Institution.

Clause IV.
And to appoint proper persons, as occasion may require, for the internal management of the Hospital.

Preamble.

And be it further enacted by the Authority aforesaid, That the sixth Clause of the said recited Act, regulating the Meetings of the Governor and Directors of the Colony Hospital be, and the same is hereby repealed, and that from and after the Publication of this Act, a Meeting of the Governor and Directors of the said Hospital, or of the Directors, should the Governor not attend, shall be held at the said Hospital, upon the first Monday in every Month, with Liberty to adjourn from day to day, if a majority of Directors, then present, shall think proper.

Clause V.
And to remove the present Hospital to any more healthy situation.

Clause VI.

The sixth Clause of the Colony Hospital Act repealed.
Meeting of the Governor and Directors, to be the first Monday in every Month.

And be it further enacted by the Authority aforesaid, That every person already appointed, or hereafter to be appointed to the Office of Treasurer of the said Colony Hospital, shall, with two Sureties, to be approved of by a Board of the said Governor and Directors, give Security, by Bond, to the said Governor and Directors and their Successors, in a Sum to be fixed by a Board of the said Governor and Directors, conditioned for the faithful discharge of the duty of such Treasurer, and for the due appropriation of all such Monies belonging to the said Hospital as shall come to his Hands, and that until such Security shall be given, such Treasurer notwithstanding his nomination, shall not be authorised to execute any of the duties of the said Office.

Clause VII.

Treasurer to give Security himself, and two Sureties in such sum as the Governor and Directors shall require.

No. XXVI.

An Act for punishing Vagabonds, and idle and disorderly Persons; and for declaring who shall be deemed such; and also for repealing an Act of the Legislature of these Islands, made and passed the twentieth day of February, One Thousand Seven Hundred and Seventy, intituled, "An Act for punishing Rogues, Vagabonds, and other idle and disorderly Persons, and declaring who shall be deemed Rogues, Vagabonds, idle and disorderly Persons;" and another Act of the said Legislature, made and passed the sixth day of February, One Thousand Seven Hundred and Ninety, intituled, "An Act for amending an Act intituled, 'An Act for punishing Rogues, Vagabonds, and other idle and disorderly Persons, and declaring who shall be deemed Rogues, Vagabonds, idle and disorderly Persons;'" and another Act of the said Legislature, made and passed the seventeenth day of April, One Thousand Seven Hundred and Ninety-three, intituled, "An Act to amend an Act intituled, 'An Act for punishing Rogues, Vagabonds, and other idle and disorderly Persons, and declaring who shall be deemed Rogues, Vagabonds, idle and disorderly Persons.'" [June 3, 1794.]

Preamble.

WHEREAS, the Laws at present in force, for punishing Vagabonds, and idle and disorderly persons, and declaring who shall be deemed such, have been found ineffectual for the purposes therein mentioned; for remedy whereof,

Clause I.

Be it enacted, by his Honor, Ninian Home, Esquire, Lieutenant-Governor and Commander-in-Chief of these His Majesty's Islands of Grenada, and such of the Grenadines as lie to the Southward of Carriacou, including that Island, the Honorable the Members of His Majesty's Council, and the Representatives of the People of the said Islands, in General Assembly convened; That all Persons who, not having wherewith to maintain themselves, live idle, and without employment, and refuse to work for the usual and common wages given to other labourers, in the like work; and all persons going from door to door, or placing themselves in the streets, highways, or other places, to beg: and all Persons not having any visible employment or occupation, whereby to maintain themselves; and all Jugglers, *Itinerant Preachers*, Rope-dancers, Prize-fighters, Common Players of Interludes, and all Persons who, for hire, gain, or reward, represent or perform, or cause to be acted, represented, or performed, any feat of Slight-of-hand, Rope-dancing, Tumbling, or any Interlude, Tragedy, Comedy, Opera, Farce, or other entertainment of the Stage, or any part thereof, without the Licence and Permission of the Commander-in-Chief of these Islands, for the time being, in writing, first thereto had and obtained; and all Persons wandering abroad, and lodging at Punch-houses, Grog-houses, Tippling-houses, or Out-houses, without any visible means of employment, shall be deemed Vagabonds, and idle and disorderly Persons within the intent and meaning of this Act, and subject to the punishment hereinafter mentioned; and it shall and may be lawful for any Person to apprehend and carry before a Justice of the Peace, all and every such Person and Persons offending against this Act; and it shall be lawful for every such Justice of the Peace to commit every such Person or Persons (being thereof convicted before him, by his own view, by his, her, or their confession or confessions, or by the oath of one or more credible witness or

Who shall be deemed Vagabonds, &c.

Repealed by Act, No. 157.

Persons so deemed may be taken up and committed to Gaol.

witnesses, as the case may be) to the common Gaol, there to be kept for any time in the discretion of such Justice, not exceeding the space of two months.

And whereas great inconvenience hath arisen, and may arise, to these Islands, from the resort of Foreigners, Preamble.

Be it enacted by the Authority aforesaid, That all Foreigners, who have come to these Islands, or any of them, at any time since the sixth day of January, One Thousand Seven Hundred and Eighty-four, and who do not, within fifteen days from and after the publication of this Act, wait upon the Commander-in-Chief of these Islands, for the time being, and give an account of his, her, or their business to such Commander-in-Chief, and also obtain from such Commander-in-Chief, a permission, in writing, for such time as shall be mentioned therein, to remain in these Islands, or some of them, shall be held and deemed a Vagabond or Vagabonds, and an idle or disorderly Person or Persons, within the true intent and meaning of this Act, and subject to the punishment hereinbefore prescribed for Persons offending against the same: and that all Foreigners, who shall hereafter come to these Islands, or any of them, and who shall not respectively wait upon the Commander-in-Chief of these Islands, for the time being, within twenty-four hours from and after his, her, or their arrivals, respectively, and give an account of his, her, or their business, to such Commander-in-Chief; and also obtain from such Commander-in-Chief, a permission, in Writing, for such time as shall be mentioned therein, to remain in these Islands, or some of them, shall also be held and deemed a Vagabond or Vagabonds, and an idle and disorderly Person or Persons, within the true intent and meaning of this Act, and subject to the punishment hereinbefore prescribed for Persons offending against the same; Provided, always, nevertheless, that if any such Foreigner as is hereinbefore described, shall, from sickness, or other accident, be prevented from waiting upon the Commander-in-Chief for the time, being within the times hereinbefore respectively prescribed for that purpose, and shall, upon satisfying the Commander-in-Chief, for the time being thereof, obtain a permission from such Commander-in-Chief, to remain in these Islands for the time therein to be expressed as aforesaid; every such Foreigner, so obtaining such permission shall, during the continuance thereof, or until the same shall be revoked or recalled, as hereinafter mentioned, be deemed and adjudged to have complied with the Regulations hereinbefore prescribed by this Act, and shall not be subject to the punishment hereinbefore prescribed, for Persons offending against the same.

Clause II.
Foreigners residing here since 1784, not waiting on Commander-in-Chief, within 15 days after publication of this Act deemed Vagabonds, &c.

Also Foreigners arriving hereafter, and not waiting on the Commander-in-Chief within twenty-four hours after such arrival.

Proviso.
Except Foreigners being sick, and satisfying Commander-in-Chief, &c.

And be it enacted by the Authority aforesaid, That every Person who shall be committed to Gaol, for any of the Offences hereinbefore mentioned, and who shall break or escape out of Gaol before the expiration of the term for which he, she, or they was or were committed, and ordered to be confined, shall, upon Affidavit made thereof in writing, by one or more credible witness or witnesses, before any Justice of the Peace, be subject and liable to be again apprehended, and shall, by warrant from such Justice, be committed to the Common Gaol of these Islands, there to be confined and remain for the space of four months.

Clause III.
Persons committed as Vagabonds, and escaping before the expiration of the term of commitment, liable to be re-committed for four months.

And be it enacted by the Authority aforesaid, That every Person who shall be committed to the said Common Gaol for offending against this Act, and who shall not, within Twenty-four hours from and after the expiration of the time for which he, she or they shall have been so committed, obtain from the Commander-in Chief for the time being, a permission in writing, to remain in these Islands, for such time as shall be therein expressed, or in default thereof, remove him, her, or themselves from the said Islands, within the aforesaid space of Twenty-four Hours, shall be considered an Offender within the intent and meaning of this Act, and liable to be punished for the same, in way and manner hereinbefore first mentioned.

Clause IV.
Persons not obtaining a permission to remain, and not removing from the Island in 24 hours, liable to be committed again.

And be it enacted by the Authority aforesaid, That at the end and ex- Clause V

Persons, after their permission has expired, not obtaining another, or removing in twenty-four hours, to be deemed Vagabonds, &c.

piration of the time specified in every permission to remain in these Islands, to be given by the Commander-in-Chief for the time being, as aforesaid, or upon such permission being withdrawn or revoked by an order from the Commander-in-Chief for the time being, to be communicated to the Party personally, or published in the Gazette of this Island, and if no Gazette, to be nailed on the Court-house door of the said Island, every such Person who shall not, within Twenty-four Hours, either obtain a new permission to remain as aforesaid, or in default thereof, remove him, her, or themselves from the said Islands, within the space of Twenty-four Hours, shall be deemed a Vagabond or Vagabonds, and idle or disorderly Person or Persons, within the intent and meaning of this Act, and subject to be punished in way and manner hereinbefore first mentioned, for the offences against the same.

Clause VI.

Persons harbouring Vagabonds, liable to imprisonment, not exceeding two months.

And be it enacted by the Authority aforesaid, That every Person harbouring or concealing any Person offending against this Act, shall, upon conviction thereof, before any Justice of the Peace, upon the view of such Justice, confession of the Party, or the oath of one or more credible witnesses, be committed to the Common Gaol of these Islands, by warrant from such Justice, therein to remain for any space of time, at the discretion of such Justice, not exceeding two months.

Clause VII.

And be it enacted by the Authority aforesaid, That the form of conviction and commitment of offenders under this Act, shall be in form and to the effect following :—

Form of commitment.

WHEREAS—(insert the offender's name)—hath been apprehended and brought before me—(insert the Justice's name)—Esquire, one of His Majesty's Justices of the Peace for the said Island of Grenada (or Carriacou, as the case may be) as a Vagabond, and idle and disorderly Person; and upon my view, and the confession of the said—(naming the offender)—or upon the oath of—(naming and describing the witness or witnesses as the case may be)—is this day convicted before me, of—(here insert in the words of the Act, the offence committed)—I do hereby adjudge the said—(insert the name)—to be a Vagabond, and idle and disorderly Person, within the true intent and meaning of a certain Act of the Legislature of the said Island of Grenada, in such case made and provided: And I do hereby also adjudge that the said—(insert the offender's name) be committed to the Common Gaol of these Islands, there to be kept for the time of—(insert the time)—and I do accordingly hereby commit the said—(insert the offender's name)—to the Common Gaol of these Islands, there to be kept for the time and term of—(insert the time)—from the day of the date hereof: And I do hereby require you—(insert the Constable's name)—being one of the Constables for the Parish of or Island of (as the case may be)—to take charge of the body of the said—(insert offender's name)—and him to deliver to the Keeper of the Common Gaol of these Islands: And do also hereby require and authorize you—(insert the name of Gaol-keeper)—the Keeper of the Common Gaol of these Islands, to receive into custody the body of the said—(insert offender's name)—and him to keep in the Common Gaol of these Islands, for the space of from the day of the date hereof.

Given under my hand and seal day of in the year of our Lord,
To Constable of the Parish of or Island of—(as the case may be)—and to
Keeper of the Common Gaol of Grenada and its Dependencies.

Clause VIII.

Former Vagabond Acts repealed.

And be it enacted by the Authority aforesaid, That a certain Act of the Legislature of these Islands, made and passed the Twentieth Day of February, one thousand seven hundred and seventy, intituled "An Act for punishing Rogues, Vagabonds, and other idle and disorderly Persons, and declaring who shall be deemed Rogues, Vagabonds, idle and disorderly Persons:" And also another Act of the said Legislature, made and passed the Sixth day of February, one thousand seven hundred and ninety, intituled "An Act for amending an Act intituled, An Act for punishing Rogues, Vagabonds, and other idle and disorderly Persons, and declaring who shall be deemed Rogues, Vagabonds, idle and disorderly Persons;" And also another Act of the said Legislature, made and passed the Seventeenth day of April, One Thousand Seven Hundred and Ninety-three, intituled, "An Act to amend an Act intituled, An Act for punishing Rogues, Vagabonds, and other idle and disorderly Persons, and declaring who shall be deemed Rogues, Vagabonds, idle and disorderly Persons," be,

and the same, and each of them, and every matter and thing therein contained, are and is hereby repealed.

Clauses IX, X, XI, XII, and XIII, expired.

And be it further enacted, by the Authority aforesaid, That if any Person or Persons shall wilfully swear falsely, touching any of the matters or things required by this Act, every such Person or Persons shall and may be prosecuted in the Court of King's Bench, and Grand Sessions of the Peace, by Indictment, Presentment, or Information; and upon conviction shall be deemed guilty of wilful and corrupt perjury, and shall suffer all the pains and penalties directed by the Laws of England to be inflicted upon Persons found guilty, or convicted of the crime of wilful and corrupt perjury.

Clause XIV.
Persons swearing falsely, under this Act, guilty of wilful and corrupt perjury.

And be it enacted by the Authority aforesaid, That if any action or suit shall be commenced against any Person or Persons, for any thing to be done in pursuance of this Act, the Defendant or Defendants in such action or suit may plead the general issue, and give this Act and the special matter in evidence, at any trial to be had thereupon; and that the same was done in pursuance and by the authority of this Act; and if it shall appear so to have been done, the Jury shall find for the Defendant or Defendants; and if the Plaintiff shall be nonsuited, or discontinue his action, after the Defendant or the Defendants shall have appeared; or if judgment shall be given upon any verdict or demurrer against the Plaintiff, the Defendant or Defendants shall recover treble costs, and have the like remedy for the same as Defendants have in other cases by law.

Clause XV.
Defendant under this Act may plead the general issue, and recover treble Costs.

No. XXVII.

An Act to attain certain persons, therein named, of High Treason, unless they shall render themselves, and submit to justice, on or before the First Day of *September*, One Thousand Seven Hundred and Ninety-five. [Aug. 8, 1795.]

No. XXVIII.

An Act to repeal an Act, intituled "An Act for vesting in His Majesty the Estates of certain Traitors, and for more effectually discovering the same, and applying the produce thereof to the use of His Majesty, and for ascertaining and satisfying the lawful debts and claims thereon and against the said Traitors," and also to repeal another Act, intituled, "An Act to amend and enlarge or extend an Act, intituled, "An Act for vesting in His Majesty the Estates of certain Traitors, and for more effectually discovering the same, and applying the produce thereof for the use of His Majesty, and for ascertaining and satisfying the lawful debts and claims thereon, and against the said Traitors," And to reduce into one Act the several Clauses of the said Acts hereby repealed, which are

deemed necessary to be re-enacted, with such alterations, amendments, and additions for supply of the defects and omissions of the repealed Acts, as may best effectuate the purposes intended by the said repealed Acts. [January 23, 1797.]

[* * *The objects of this and the preceding Act having been effected, it is deemed unnecessary to print them.*]

No. XXIX.

An Act to confirm certain parts of the report made by the Commissioners appointed by the Governor, by virtue of an Act intituled, "An Act to empower Commissioners to be appointed as therein mentioned, to inquire into the state and circumstances of certain lands, which formerly belonged to the Roman Catholic Church in the Island of Grenada, and by the cession of the said Island became, and are now, vested in His Majesty," to ascertain the mode of establishing by what tenure the said lands shall in future be held, and to enable the Governor to appoint one, or more, Receiver, or Receivers, with proper authority for collecting the arrears of rent due, as well as to sell the vacant and lapsed lots. [October 4, 1800.]

Preamble.

WHEREAS, the Commissioners appointed by virtue and in pursuance of an Act of the Legislature of these Islands, lately made and passed, intituled, "An Act to empower Commissioners to be appointed as therein mentioned, to inquire into the state and circumstances of certain Lands which formerly belonged to the Roman Catholic Church in the Island of Grenada, and, by the cession of the said Island became, and are now vested in His Majesty," having duly made a Report of their proceedings, and the result of their inquiries, pursuant to the directions of the said Act, His Excellency the Governor has been pleased to lay the same before the Council and Assembly, with the other documents thereby referred to, for their consideration, and the adoption of such further measures as may tend to facilitate, and finally effectuate His Majesty's most gracious intentions, heretofore signified, as to the appropriation of the said lands, and the revenues thereof, for the more comfortable maintenance of the Protestant Clergy of Grenada, and other public uses here; And whereas, it appears, by the said Report, that the Commissioners had procured, by means of former diagrams and plans, and other the best possible means, an accurate survey of all the said Lands lying in the Island of Grenada, so that the plans accompanying the said Report may be deemed and considered as sufficiently correct to be adopted as the standard of description of the said Lands; And whereas, it further appears, by the said Report and the documents referred to, that the said Lands so formerly belonging to the Roman Catholic Church, consist of divers Lots of Land lying in the Town of Saint George, and of portions of Land lying in the several Parishes of this Island, and in Carriacou, which, under the Roman Catholic Church establishment, were appropriated to the use of the Curés, or Parish Priests, in nature of Glebe Lands; which last-mentioned portions of Land, or the greatest part thereof, are already, by permission of His Excellency the Governor, in the possession and occupation of the Rectors of the respective Parishes wherein the same are situate, or of some other person under a reservation of the Rents thereof to the use of such Rectors: And whereas, it appears, also, that the said Lots of Land

in the Town of Saint George (some few excepted, which have been, heretofore, granted, by former Governors, by Letters Patent, under the Great Seal of these Islands), were, originally, granted, by the Priests of the Roman Catholic Church, by Leases, for long terms of years, under certain reserved annual rents, by virtue of which original leases, or as Assignees thereof, or Purchasers of the Right and Title of such Lessees or Assignees, under executions at Marshal's sale, the present occupiers and claimants now hold and make Title to the same; And whereas, it appears, also, by the said Report, that there are considerable Arrears of the said reserved annual Rents now due and owing, and which are payable to His Majesty, in the same manner as the same would have been payable to the said Curés or Priests; And His Majesty having been graciously pleased to signify his intention of ratifying and confirming the Titles and Possession of all occupiers and claimants of such Lands where expenses have been incurred by buildings and other improvements, or who have been purchasers thereof, for fair and valuable considerations; and it is reasonable and expedient, therefore, that, upon payment of all such arrears, the Titles of such occupiers and claimants should be ratified and confirmed to them: And whereas, it hath been suggested, and it may happen, that the said occupiers or claimants may be desirous of converting their present Leasehold tenures into Freeholds, and it may be expedient to comply with such request, upon payment of an adequate compensation, by which the fund to be appropriated may be augmented: And whereas, also, there are some of the said Lots in the Town of Saint George, which are untenanted and unclaimed, and should be, therefore, sold and disposed of, without delay: And whereas, from the fund so to be appropriated, being to arise from the receipt of the said Arrears of Rent, and of the Monies which may be received from the change and conversion of Tenures, and the Sale of vacant Lots, and from the necessity which there will be of making several alterations in the present existing Acts of the Legislature, respecting the Clergy of these Islands, at the time of the appropriation of such Fund, and the future Revenues of the said Lands, it will be most expedient to defer the final appropriation thereof until such Fund shall be fully ascertained; and, in the meantime, to adopt such measures as may best answer that purpose, as well as the confirmation and establishment of the Titles of the present Occupiers and Claimants, by new Leases or Grants, as hereinafter mentioned and ordained,

Be it therefore, and it is hereby enacted and ordained, by His Excellency the Governor-in-Chief, the Honorable the Members of the Council, and the Representatives of the People of Grenada and the Grenadines annexed to the Government thereof, in General Assembly convened, and by the authority of the same, That the Plan or Survey of the said Lands, situate in the Town of St. George, which was made and taken by the direction and under the authority of the said Commissioners, as in their said Report is mentioned and thereby referred to, shall be, and the same is hereby ratified, allowed, and confirmed, as the standard and authority by which all and singular the several Lots, of which the said Lands consist, and the situation, extent, limits, and boundaries of each and every of such Lots, shall be estimated, known and described, and shall be hereafter occupied, possessed, and enjoyed by the present or any future Proprietors or Occupiers thereof respectively; which Plan or Survey, signed by the Surveyors who made the same, and certified by the said Commissioners shall, from and immediately after the Grants and Leases of the said Lands herein-after mentioned shall have specifically ascertained the Grantees and Lessees, who are or may become Proprietors of the respective Lots in manner herein-after mentioned, be deposited and kept in the Office of the Register of Deeds, in this Island, free and open to the inspection and examination of every person whatsoever, in like manner and upon the same terms as any other Deed or Instrument, and shall be received as evidence in all Courts whatsoever of these Islands, of the matters and things therein contained.

Clause 1.

The Survey of the Lands, in the Town of St. George, made by the direction of the Commissioners, confirmed.

And which when certified by the surveyors, to be deposited in the Secretary's Office, and be good evidence.

Clause II.

The report of the arrears of rent due, confirmed, and the Receiver to be guided by the same.

And be it further enacted, by the Authority aforesaid, That so much of the said Report and the Abstract thereby referred to, as relates to the Arrears of Rent due from the several Occupiers or Claimants of the said Lots of Land or any of them, and the periods from whence the same are computed, and the principle upon which the same has been made, shall be, and the same is and are hereby ratified and allowed, and the Receiver or Receivers to be appointed as hereinafter mentioned, shall in the collection and receipt of the said Arrears of Rent, and all matters relating thereto, be guided and governed by the said Abstract.

Clause III.

Governor empowered to appoint a Receiver, who shall make oath, and give security to discharge his duty faithfully.

And be it further enacted, by the Authority aforesaid, That it shall and may be lawful to, and for the Governor or Commander-in-Chief, for the time being, to nominate and appoint, under his Hand and Seal, one or more fit Person or Persons, at his discretion, to collect and receive the said Arrears of Rent, and to execute and effectuate all and singular other the purposes of this Act, according to the directions herein-after mentioned, and with such powers and authorities, in that behalf, as are herein-after given and expressed, which Person or Persons so to be appointed, shall not only make oath before the Governor or Commander-in-Chief, in Council, that he or they will truly and faithfully without fear, favor, prejudice, or partiality, discharge the duties hereby enjoined and required, but shall also enter into one or more Recognizance or Recognizances, in such Sum or Sums, and with such sufficient Surety or Sureties as shall be required by the said Governor or Commander-in-Chief, and Council, to the foregoing effect : and also for his duly accounting to and with such Person or Persons as may be appointed for that purpose by any Act of the Legislature of these Islands, hereafter to be passed, or, in the mean time, and until such Act shall pass, to such Person or Persons when thereto required, as may be appointed by His Majesty's Governor or Commander-in-Chief for all such Moneys as shall be collected and received by him or them, by virtue of his or their said appointment, and the powers and authorities hereby vested in him, or them, for the purposes of this Act.

Clause IV.

Receiver to give notice in the Gazette of all arrears of rents due,

And be it further enacted, by the Authority aforesaid, That the Person or Persons so to be appointed Receiver or Receivers, being first duly qualified, by taking the Oath, and giving Security as aforesaid, shall cause Notice to be given in the Gazette of this Island, of all Arrears of Rent, due on the several Lots of the said Lands, in the Town of Saint George, specifying the situation and number of every such Lot according to the said herein-before mentioned Plan or Survey, the Occupier or Claimant thereof, and the amount of the Arrears, as stated in the Abstract herein-before mentioned, and adding thereto the further Sums which have become due, calculated to the first day of January, in the present Year, One Thousand Eight Hundred ; and requiring payment of all such Arrears up to that time, at such place in the Town of Saint George, and on such Days and Times, within the space of Six Months from the first Publication of such Notice as shall be thereby limited and appointed for payment thereof : And if the said Arrears of Rent due and owing for, or in respect of any of the said Lots, shall not be fully paid and satisfied to the said Receiver or Receivers, within the time limited for payment thereof, as aforesaid, by the Occupier or Claimant of any such Lot or Lots, such neglect or refusal to pay the same, by any Occupier or Claimant thereof, shall be deemed and taken as an abandonment and forfeiture of all claim, title, and pretensions thereto, and the same shall be deemed and taken to be vacant, and shall be sold as such ; and the Leases or Grants to be made to the Purchaser or Purchasers of such Lot or Lots, in manner hereinafter mentioned, shall be good, valid, and effectual, against all and every the Claimants of such Lot or Lots, their Heirs, Executors, Administrators, and Assigns for ever : And, in case any Person or Persons, who shall or may be in the occupancy and possession of such Lot or Lots, shall refuse to quit and deliver the possession thereof to such Lessees or Grantees, it shall and may be lawful to and for the Receiver

which if not paid within six months, to be considered as a forfeiture of the land, and be sold ;

and the conveyance deemed valid.

In case of refusal to deliver up the land, the Receiver to issue a warrant to

or Receivers, and he, or they are hereby authorized and required to issue a the Provost Marshal, who shall execute the same within three days.
Precept or Warrant, under his or their Hands and Seals, directed to the Provost-Marshal, or his lawful Deputy, requiring them to deliver possession thereof to such Lessees or Grantees; and the said Provost-Marshal, or his lawful Deputy, is hereby authorized and required to execute such Precept or Warrant, within Three Days after the receipt thereof, in such manner as Writs of Possession issued upon Judgments in Ejectment are executed.

And be it further enacted, by the authority aforesaid, That it shall and may be lawful to and for the said Receiver or Receivers, and he, or they are hereby required to sell and dispose of, by public cant or auction, after due notice of such intended Sale, in the Gazette of this Island, for thirty days previous thereto, all and every such Lots, which are vacant and unclaimed, or which shall become liable to be sold for non-payment of the arrears of rent, as herein-before mentioned, to the best bidders for the same respectively, such Lots to be respectively set up, at the value or amount of the arrears due and owing thereon, if not paid before the day of Sale.

Provided always, and it is hereby further enacted, by the authority aforesaid, That no person or persons, who may be the occupiers or claimants of two or more lots, shall be entitled to a lease or grant of any one or more of them, but on payment of the arrears due on every of such Lots, but the whole number of such Lots shall be deemed and taken to be equally relinquished and vacant, and shall be sold and disposed of accordingly, in manner and form, and under the regulations herein-before mentioned in that respect: And provided also, That if any person or persons shall think themselves, or any absentee or infant, not having an Attorney or Guardian, within this Government, aggrieved by the proceedings of the Receiver or Receivers, in any matter or thing herein-before contained; it shall and may be lawful to, and for such person or persons within ten days after the occurrence of any such grievance, to appeal to His Excellency the Governor or Commander-in-Chief, for the time being, in Council, which appeal shall be by petition, of which due notice in writing shall be forthwith given by such appellant to the Receiver or Receivers, who shall thereupon stay all proceedings against such appellant, or his, her, or their lands, until such appeal shall be determined: And the determination or decree of such Governor or Commander-in-Chief, by and with the advice of the Council, shall be final and conclusive, as to the matter so appealed from.

And be it further enacted, by the authority aforesaid, That every occupier and claimant of any of the said Lots of land, and every purchaser of any of the said Lots which are now vacant, or may hereafter become liable to be sold as vacant for any of the reasons aforesaid, shall upon payment of the arrears of rent due, or of the purchase-money by him, or her bid, be entitled to demand and receive of and from the said Receiver or Receivers under his, or their hands or seals, a lease or demise for the term of seventy years (being the period most generally appearing upon reference to, and examination of the present existing Church leases, to be therein yet to come and unexpired), to commence from the first day of January, in the present year, One Thousand Eight Hundred, under the annual rent to be therein reserved, of one shilling and sixpence for every foot in front of such Lot so to be leased and demised, to be regulated by the plan or survey herein-before mentioned, and payable on the first day of January, in every year, during such term, to such person or persons as shall be therein appointed; the first payment thereof to be made on the first day of January next, with all proper Clauses of distress and entry for securing the payment thereof, which lease shall be so given and delivered by the said Receiver or Receivers, without fee or reward, and shall be good and effectual in the law, against all person and persons whatsoever.

Provided always, and be it further enacted, by the authority aforesaid, That in case any such occupier, claimant, or purchaser shall elect and prefer, in lieu of such lease or demise for term of years, to have an estate of free-

Clause V.

Receiver to sell by public auction, vacant lots, or such as shall become forfeited for non-payment of arrears.

Clause VI.

Claimants of two or more lots, not entitled to any grant, but on payment of arrears.

Persons thinking themselves aggrieved, may by petition appeal to the Governor in Council,

whose determination shall be final.

Clause VII.

Claimants or Purchasers on payment of arrears or purchase-money entitled to a lease for 70 Years from the 1st January, 1800.

Clause VIII.

Persons desirous of purchasing the freehold may be at lib-

erty to do so, on payment of a sum equal to 20 years annual rent.

hold, such occupier, claimant, or purchaser shall be entitled thereto, upon payment of a sum of money equal to the amount or value of twenty years reserved annual rent of such Lot or Lots wherein he shall be desirous of having such freehold estate; and the said Receiver or Receivers shall, upon payment of such consideration money as aforesaid, over and above any arrears of rent, which may be due thereon, give such person or persons, so applying for such grant, a certificate of such payments, the production whereof to the Governor or Commander-in-Chief for the time being, shall entitle such person or persons to such grant accordingly, of such Lot or Lots, to be holden of his Majesty, his heirs, and successors, in free and common socage for ever.

Clause IX.

Leases and grants to be registered within three months.

And be it further enacted, by the authority aforesaid, That all and singular leases and grants of the said lands to be made as herein-before mentioned, shall, within three months after the respective dates thereof, be entered in the Register's Office of this Island, in a separate book to be kept for that purpose.

Clause X.

Receiver to pay to the Treasurer all sums of money received by him, who shall give a receipt for the same.

And be it further enacted, by the authority aforesaid, That it shall and may be lawful to and for the Receiver or Receivers to be appointed as aforesaid, and he or they is and are hereby required and directed, out of the first moneys which shall be received by him or them, by virtue of this Act, to pay into the hands of the Treasurer of these Islands, all such sum and sums of money, as have been granted and paid to and to the order, or on account of the said Commissioners, under the said herein-before recited Act, for which payment, the receipt of such Treasurer shall be a sufficient voucher and indemnity.

Clause XI.

Receiver to retain £7 10s out of every £100 in lieu of house-hire, and Clerks.

And be it further enacted, by the authority aforesaid, That the Receiver or Receivers so to be appointed, shall and may retain, to his or their own use, the sum of seven pounds ten shillings for every hundred pounds which they shall so receive and pay over, in lieu of house rent, clerk hire, and all other charges, except for moneys actually and necessarily paid and disbursed, in the execution of the trusts hereby reposed in him.

Clause XII.

Nothing in this Act contained to prevent the Governor from making a free or conditional grant of any of the lands untenanted, or which may become forfeited.

Provided always, and be it further enacted and declared, That nothing herein-before contained shall be construed to extend to bar or prevent the Governor or Commander-in-Chief for the time being, from making any free or conditional grant of any of the said lands, which are untenanted and unclaimed, or may become liable to be sold for non-payment of arrears of rent, as herein-before mentioned, by virtue, and in pursuance of any of the powers and authorities in that behalf given by His Majesty's commission and royal instructions respecting the exercise of such powers and authorities.

Clause XIII.

Act declared to be a public Act.

And be it further enacted, by the authority aforesaid, That this Act shall be taken and deemed to be a public Act, and shall be noticed accordingly by all Judges, Justices, and others, without specially pleading the same.

No. XXX.

Amended by Act, No. 70.

An Act for establishing a Supreme Court of Judicature, and uniting therein the Jurisdictions of the several Courts of King's Bench and Grand Sessions of the Peace and Common Pleas heretofore established in this Island. [Oct. 4, 1800.]

Preamble.

Refers to Acts, Nos. 16 and 24.

WHEREAS, by certain Acts of the Legislature of the Island of Grenada and the Grenadines included in the Government thereof, there have been established, and now exist, two several, distinct, and independent Courts of Law, the one, of criminal jurisdiction, under the stile and title of the Court of King's Bench and Grand Sessions of the Peace, the other, of civil jurisdic-

tion, under the stile and title of the Court of Common Pleas ; the proceedings of which said Courts, respectively, are directed and regulated by the several Acts, whereby the same have been respectively erected, established, and, from time to time, continued : And whereas, the constitution of the said Court of King's Bench and Grand Sessions of the Peace, as to the persons thereby authorized to be Justices thereof, hath been found inconvenient, and otherwise objectionable, inasmuch as the said Justices consist of an indefinite number of persons, who act as such by virtue of certain offices, or places of various denominations and descriptions, and amongst others of all and every the persons named as Justices in His Majesty's commission of the Peace, few of whom attend as Justices of the said Court, whilst the attendance of so numerous a body as the absentees of them is necessarily dispensed with in other capacities, in which, from the present diminished state of the population of this Colony, they are more especially wanted for the service of their country, such as grand and special Jurors ; and the said Court of King's-Bench and Grand Sessions of the Peace is moreover held only twice a year, with an interval of six months between the times of holding the same, by reason whereof the administration of criminal justice is not only attended with delay, but is not unfrequently obstructed, and sometimes totally defeated by the non-attendance of transient persons, bound over to prosecute, and give evidence ; And whereas, the uniting the jurisdiction of the said Courts in one Supreme Court, under Justices especially appointed by commissions, under the great Seal of this Colony, to be holden at such times as the Court of Common-Pleas is appointed, being six times in the year, will tend to obviate and remove the said inconveniences, and render the administration of criminal Justice more certain and expeditious.

May it please His Most Excellent Majesty, therefore, that it may be enacted, and be it and it is hereby enacted, by His Excellency the Governor-in-Chief of the Island of Grenada and such of the Grenadines as are annexed to and included in the government thereof ; the Honorable the Members of the Council, and the representatives of the people of the said Islands, in General Assembly convened, and by the authority of the same, That from and immediately after the publication of this Act, all and every the Clause and Clauses of an Act, made and passed in the twenty-fourth year of His present Majesty's reign, intituled, " An Act for re-establishing a Court of King's-Bench and Grand Sessions of the Peace, prescribing the times of its sitting, and regulating the proceedings therein, and in Courts to be held by virtue of Commissions of Oyer and Terminer and gaol delivery, and for taking away the benefit of clergy from persons convicted of certain crimes therein specified," so far as the said Clauses relate to the constituting and erecting the same Court, and the stile and title thereof, and the persons nominated to be Justices therein, and the times of holding and adjourning the same ; and also so much of an Act made and passed in the thirty-first year of the reign of His said Majesty, intituled, " An Act for re-establishing a Court of Common-Pleas, and a Court of Complaints ; directing the modes of proceeding therein, prescribing the order of levying executions, issued out of the Courts formerly subsisting, or hereafter to issue out of the Courts hereby established, for limiting the times of making sales of Effects levied on, and for regulating and restricting the conduct of the Secretary and Provost-Marshal, in their respective offices, and removing doubts with respect to the expiration of the former Act for re-establishing the said Courts," as relates to the stile and title of the said Court of Common-Pleas, and all and every other Act and Acts, and Clause and Clauses of Acts, whereby the same several Courts have at any time or times heretofore been established, re-established, revived, or continued, shall be, and the same are hereby repealed, made void, and declared to be no longer of any force or effect whatsoever.

And be it enacted, by the authority aforesaid, That the said Court of

Clause I.

The court of King's Bench and Grand Sessions Act of the 24th of his present Majesty repealed, as far as relates to the stile and title of the court.

Court of Common-Pleas Act also repealed, so far as relates to the stile and title of the court.

Clause II.

The Supreme Court of Judicature to consist of five Justices.

To be a Court of Record and to possess the same powers as the Courts in England.

Clause III.

Courts to be holden six times in the year.

Clause IV.

Justices to take the following Oath:

Form of Oath.

Vide Act, No. 70.

Clause V.

No Precept for a Grand Jury to issue without direction of the Court, or order of two Justices thereof out of Court.

Vide Act, No. 81, Clause 11.

Clause VI.

Proceedings to be

King's-Bench and Grand Sessions of the Peace, and the said Court of Common-Pleas, and all and singular the persons and authorities of the same Courts respectively, shall from and after the publication of this Act, be united in one Grand Court, which shall be stiled and called "The Supreme Court of Judicature," and shall consist of the Chief Justice and such other persons as have been already nominated and appointed assistant Justices, and now preside and sit as Justices of the Court of Common-Pleas, and such others (not exceeding five in the whole number of such Justices) who shall, from time to time, in case of vacancy, by death, resignation, or otherwise howsoever, be duly appointed and commissioned, under the Great Seal of this Colony, to be Chief or Assistant Justices of the said Supreme Court of Judicature, which Court shall be a Court of Record, and shall have, use, exercise, and enjoy within the precincts of the said Island of Grenada and such of the Grenadines as are annexed to and included in the government thereof, all jurisdictions, powers, and authorities whatsoever, in all matters, criminal and civil, relating to the crown or subject, as fully and amply, to all intents, constructions, and purposes whatsoever, as the Courts of King's-Bench, Common-Pleas, and Exchequer within the kingdom of England have, and ought to have, and is hereby empowered to give judgment, and award execution thereon accordingly.

And be it further enacted, by the authority aforesaid, That the said Court hereby established shall be held on the same days and times whereon the said Court of Common-Pleas was appointed to be holden, that is to say, on the first Tuesday of the months of October and December in the present year, and of the months of February, April, June, August, October, and December, in the next and every succeeding year, at the house now used for the meeting of the Council and Assembly, or at such other house in the Town of Saint George, as shall from time to time be appointed by the Legislature of these Islands as a Court-house.

And be it further enacted, by the authority aforesaid, That before any Person, to be appointed a Justice of the said Supreme Court, shall be qualified to sit therein, he shall take the Oaths, and subscribe the Test, appointed by Law to be taken and subscribed by Persons in posts or places of trust, and shall, moreover, previous to his sitting as such, take the following Oath, viz. ;

"I, A. B., do swear, that, according to the best of my skill and knowledge, I will do impartial justice, according to Law, between the King and his subjects, and between subject and subject, as Chief, or Assistant Justice of His Majesty's Supreme Court of Judicature for these Islands, without fear, favour, affection, or partiality.—*So help me God.*"

Which Oath shall be administered to the Chief Justice in Council, and to the other Assistant Justices, for the time being, *before the Chief Justice, in open Court*; and the said Justices, or any one* of them, is and are, hereby empowered to hold the said Court, and to hear, try, and determine all matters, causes, and suits, which may be commenced and prosecuted in the said Court, and may adjourn the same, from time to time, so as the time of any such adjournment does not extend to the day on which the next succeeding Court is to be holden.

And, for the ease of Jurors, be it and it is hereby enacted, by the authority aforesaid, That no Writ or Precept shall ordinarily, and of course issue, to summon Persons to attend as Grand Jurors, at any of the sittings of the said Court hereby established, but by special direction of the Court, if sitting, or out of Court by order of two of the Justices thereof, in writing, directed to the Clerk of the Crown, who shall, thereupon, issue the usual Writ or Precept, accordingly.

And be it further enacted, by the Authority aforesaid, That the proceedings and practice of the said Court hereby established, shall be regu-

* See No. 24. Clause 46.

lated and governed, in all cases, criminal and civil, wherein the same are not altered or repealed, or it is not otherwise provided by this Act, by the same rules as are already specified and established for the proceedings of the Courts of King's Bench and Grand Sessions, and Common-Pleas, respectively, in and by the said several Acts hereinbefore mentioned, for re-establishing the same, and as nearly conformable as local circumstances will admit, to the practice and proceedings of the Courts of King's Bench, Common-Pleas, and Exchequer, in England.

the same as in the Court of King's Bench and Grand Sessions — and as near as possible to the practice of the Courts in England.

And be it further enacted, by the Authority aforesaid, That all the recognizances already taken, and which are expressed to be for the appearance of any Person or Persons, at the next Sessions of the Court of King's Bench and Grand Sessions of the Peace, shall be, and the same are hereby declared to be binding for the appearance of such Person or Persons at the sitting of the Court hereby established, to be holden in the month of February next, and shall be liable to be forfeited, in case of non-appearance, as aforesaid.

Clause VII.
Recognizances entered into by Persons to appear at the Court of King's Bench and Grand Sessions, to be binding at the Court to be holden in February.

And be it further enacted, by the Authority aforesaid, that the said Court, hereby established, shall proceed to hear, try, and determine all indictments, presentments, informations, and traverses; and all suits and actions whatsoever, whether in matters criminal or civil, heretofore instituted, and now depending, either in the said Court of King's Bench and Grand Sessions, or the Court of Common-Pleas, according to the practice and proceedings already established in the said Courts, respectively.

Clause VIII.
The Court established by this Act, to determine all matters, according to the practice already established.

And be it further enacted, by the Authority aforesaid, That this Act shall be deemed and taken to be a public Act, and shall be noticed accordingly by all Judges, Justices, and others, without specially pleading the same.

Act declared to be a public Act.

No. XXXI.

An Act to alter and amend an Act therein mentioned, for establishing a Court for hearing and determining Errors, so far as the same relates to the number of Justices necessary to compose the said Court. [January 26, 1801.]

WHEREAS, by the first Clause or Section of an Act of the Legislature of these Islands, made and passed in the twenty-fourth year of the reign of his present Majesty, intituled "An Act for establishing a Court for hearing and determining Errors on Writs of Error, to be brought from the Judgment of the Court of Common-Pleas or Exchequer, and for directing the manner of proceeding in such Court of Errors," it is amongst other things enacted and ordained, that the Court for hearing and determining Errors, shall consist of the Commander-in-Chief of these Islands, and any number not less than five, of the Members of His Majesty's Council, except where any Member of the Council shall be a Party, in which Case, three Members of the Council, not Parties, shall be a sufficient number of Councillors to make a Court: And whereas the Justices of the Court from whence Writs of Error may lie, or some of them, are frequently Members of Council also, and therefore incompetent to sit as Justices in the said Court of Errors, and from the absence of others of the said Members, or their being Parties in the Suit, it hath happened and may frequently happen, that there are not five Members of Council uninterested, or otherwise competent to compose such Court, to the great hindrance and delay of Justice; for remedy whereof, therefore,

Preamble.

Recites Act, No. 14.

Be it and it is hereby enacted and declared by His Excellency the Governor-in-Chief of the Island of Grenada and the Grenadines, annexed to the Government thereof; the Members of His Majesty's Council, and

Clause I.
Such part of the first Clause of the Act of the 24th of

his present Majesty, as relates to the number of Councillors to compose the Court of Error repealed.

Clause II.
Court of Error to consist of the Governor, and not less than three of the Council, who shall not be Justices of any Court out of which Error arises;

and the proceedings to be the same as established by the former Act.

Act declared to be a public Act.

the Representatives of the People of the said Islands, in general Assembly convened, and by the Authority of the same, That so much of the said recited first Clause of the said Act, as establishes and appoints the number of Councillors which shall compose the said Court of Errors, shall be and the same is hereby repealed, and declared null and void.

And be it enacted and ordained by the Authority aforesaid, That from and after the Publication of this Act, the Governor, or, in his absence, the Commander-in-Chief for the time being of these Islands, and the Members of his Majesty's Council, not less than three in number, and whereof none shall be Justices of any Court, from whence any such Errors shall be brought, or Parties in any such Judgment, shall, and are hereby declared to be a Court, to hear and determine, in all Cases, and between all Parties whatsoever, all Errors now depending, or hereafter to be brought, of any Judgment, already given, or to be given in the Supreme Court of Judicature now established, or which hath been at any time heretofore given in any Court of Common-Pleas then established in these Islands, proceeding therein according to the directions and regulations of the said hereinbefore mentioned Act, which, it is hereby enacted and declared, shall be and remain in the same force and virtue as heretofore, in all and every the matters and things therein contained, and not hereby altered or otherwise provided for, and enacted and ordained to the contrary thereof.

And be it enacted by the Authority aforesaid, That this Act shall be deemed and taken to be a public Act; and all Judges, Justices, and Jurors, are to take notice thereof accordingly.

No. XXXII.

An Act to ratify and confirm all such Verdicts and Assessments of Damages upon interlocutory Judgments by Default or Confession, or upon Demurrer to substantiate all Proceedings had thereon, in Cases where final Judgments have been omitted to be entered, to render it unnecessary to enter Judgments at large, in certain Cases, and to regulate the Proceedings on Motions for setting aside Judgments. [May 19, 1801.]

Preamble.

WHEREAS, in divers Actions heretofore brought and tried in the Court of Common-Pleas, lately existing in these Islands, Verdicts have been found ascertaining the Debt or Damages respectively therein sued for, or such Debt or Damages have been ascertained by Confession, or assessed, by Enquiry upon Judgments by Default, or upon Demurrer, and Writs of Execution, Possession, Scire Facias, and other Process or Proceedings have been issued, and had thereon, although no final Judgments have been signed, or entered, as required by Law, whereon to ground the same, by Reason whereof such Writ, Process, or Proceedings, are liable to be questioned, and set aside for irregularity, to the great injury of Suitors in such Actions, for Remedy and Prevention whereof,

Be it, and it is, hereby enacted and declared by His Excellency the Governor-in-Chief of the Island of Grenada and the Grenadines annexed to the Government thereof; the Honorable the Members of His Majesty's Council, and the Representatives of the People of the said Islands, in general Assembly convened, and by the authority of the same, That all such Verdicts and Assessments of Damages upon interlocutory Judgments, or any Process or Proceedings which have been had in such Action, shall not be liable to be set aside, vacated, or reversed, for want of Form, in giving such Verdicts by the Jury, or not signing and entering final Judgment thereon, but that the same Verdicts, interlocutory Judgments by

Clause I.
Verdicts and Assessments of Damages upon interlocutory Judgments shall not be set aside for want of form or not signing final Judgment.

Default, Confession, or upon Demurrer, and Assessments shall be, and the same are hereby ratified and confirmed, in the same manner as if final Judgments had been entered thereon according to Law, anything in the Act or Acts for establishing the said Court of Common-Pleas, to the contrary thereof in anywise notwithstanding.

And whereas, by the practice that has prevailed of taking out Executions upon Verdicts or Assessments of Damages, without making Entries of Judgments thereon at large, a considerable expense in costs was saved to the Parties, and the making such Entries at large can only be necessary where proceedings are intended to be had thereon, by Writ or Error, or *Audita Querela*,

Be it therefore further enacted, by the Authority aforesaid, That unless the Party liable to, or who may be affected by such Judgment so to be entered, do, within the period prescribed by any Act of this Island, for bringing Writs of Error, or *Audita Querela*, give notice of such his intention to the opposite Party in such Action or Suit, of bringing such Writ of Error, or *Audita Querela*, it shall not be deemed necessary to make an Entry of Judgment at large, but Execution shall and may issue upon such Verdict and Assessment of damages from the Minutes of Judgments in the Docket Book kept by the Secretary, any thing contained in the Act made and passed in the Thirty-first Year of the Reign of his present Majesty, intituled, "An Act for re-establishing a Court of Common-Pleas, and a Court of Complaints, directing the modes of proceeding therein, prescribing the order of levying Executions, issued out of the Court formerly subsisting, or hereafter to issue out of the Courts hereby established, limiting the times of making sale of Effects levied on, and for regulating and restricting the conduct of the Secretary and Provost-Marshall, in their respective Offices, and removing doubts with respect to the expiration of the former Act, for re-establishing the said Courts," or in any Act of these Islands to the contrary, in anywise notwithstanding.

And be it enacted, by the Authority aforesaid, That Executions so taken out without the Entry of such Judgments at large, in cases where no such Notice is given, shall be, and the same are hereby declared to be as binding to all intents and purposes, as if such Judgment had been entered at large, and shall not be liable to be set aside on account of Informality.

And be it enacted, by the Authority aforesaid, That no Judgment whatsoever, interlocutory or final, heretofore obtained in the Court of Common-Pleas, or any Proceedings had or to be had thereon, shall be set aside, vacated, or annulled, upon motion by or on behalf of any Defendant for Default of service to the Writ of Summons and Declaration, or for any irregularity or informality in such service, or in the Return thereof, or for want of such Return having been sworn to, or having been omitted to be entered in the Secretary's Book, unless such motion shall be supported by one or more Affidavit or Affidavits, by or on behalf of such Defendant, stating specially such Default, Irregularity, or Informality, and the time when the same was first discovered or made known to the said Defendant: And in case the Court shall see sufficient Cause to set aside such Judgment, and the Amount of the Damages assessed on such Judgment shall not have been levied or received by the Plaintiff, such Defendant shall also enter into a Recognizance of Bail in double the amount of the said Judgment, in the same manner as upon a Capi Corpus, returned on a Writ of Capias ad Respondendum, any Law, Usage, or Custom to the contrary thereof, in anywise, notwithstanding.

Clause II.
Unless the Party to be affected by such Judgment shall give notice of bringing Writ of Error or *Audita Querela*, it shall not be necessary to enter the Judgment at large, but Execution to issue from the Minutes in the Secretary's Docket-Book. Vide Act, No. 24, Clause 45.

Clause III.
Where no notice given, such Executions declared to be binding.

Clause IV.
No Judgment shall be set aside for irregularity, unless supported by Affidavit.

If the Court see cause to set aside such Judgment and no Levy has been made, Defendant to enter into Recognizance in double the Amount, as in Capi Corpus to a Writ of Capias.

No. XXXIII.

An Act to reduce into one Act, all the Laws, now in force, relating to the establishment and regulation of a Militia in the Islands of Grenada and Carriacou ; and, to that end, to repeal the said Laws, and to substitute, in their stead and place, this present Act. [July 1, 1801.]

No. XXXIV.

An Act for reducing into one Act of the Legislature, the several Laws relating to the Port and Harbour of Grenville, in the Parish of Saint Andrew, in the Island of Grenada, and for the better and more effectually preserving the same, and for appointing Commissioners for that purpose, and for raising Funds for defraying the Expenses thereof, and for repealing all other Acts and Clauses of Acts relating thereto, and for other purposes therein mentioned. [July 31, 1801.]

Preamble.

WHEREAS, the Establishment and Regulation of the Town and Harbour of Grenville in the Island of Grenada, have been found to be of great utility to the Proprietors of Plantations situate in the neighbourhood of the same, and have contributed to the trade and welfare of the said Island of Grenada : And whereas the Laws now or late in force for the Establishment and Regulation thereof, are in part expired, and other parts thereof, from lapse of time and other circumstances require Revision and Amendment : And whereas in consequence of the late Rebellion and Insurrection, and from other causes there has been a considerable Debt incurred for the reparation and keeping in order the said Harbour, and it is necessary to make Provision for the Payment thereof : And whereas for the purposes of continuing and keeping the said Harbour in a proper state of repair, it is necessary to impose higher Duties on the Persons and Articles at present liable to the Payment of Duties, for the reparation of the said Harbour, as the former Duties imposed have been found inadequate for that purpose : And whereas several of the Owners and Proprietors of Estates, within the limits pointed out by the Act made on the Fifth Day of February, in the Year One Thousand Seven Hundred and Seventy-six, have neglected to make Payment of the Duties imposed on them, and have, therefore, fallen considerably in Arrear, and it is necessary to provide for the levying and recovery of such Arrears ; We, therefore, Your Majesty's most loyal, and obedient Subjects, His Honor the Commander-in-Chief of the Island of Grenada, and the Grenadines to the Southward of Carriacou, including that Island ; the Members of His Majesty's Council, and the Representatives of the People of the said Islands in General Assembly convened, humbly pray Your Most Excellent Majesty, that it may be enacted and ordained,

Clause I.
Appointment of
Commissioners.

And be it, and it is hereby enacted and ordained by the Authority aforesaid, That the following Persons shall be, and they are hereby declared to be Commissioners, for the carrying into Execution, and they shall carry into Execution this present Act, and the Powers therein contained, that is to say : The Honorable James Campbell, the Honorable John Harvey, the Honorable Alexander Fraser (Hermitage), the Honorable Harry Gordon, John Cumberland Hughes, Henry Rush, James Campbell (Carriere), George Lushington, Nicholas Herbert, Thomas Robertson, and John

McDonald, Esquires; and the Collector and Comptroller of His Majesty's Customs of the Town of Grenville, and Five of the said Commissioners, or of any other Commissioners who may be appointed by Virtue of this Act, while such Person or Persons shall, by Virtue of this Act, continue to be a Commissioner or Commissioners, shall be sufficient to form a Board of the same; and all Acts, Regulations, and Resolutions of, and all Transactions passed, or Contracts made by and with the Majority of Commissioners present at such Board, shall have the same Effect, to all Intents and Purposes, and be considered as the Acts, Regulations, Resolutions, and Transactions passed, or Contracts made by and with all the Commissioners appointed in and by virtue of this Act; and all Matters and Things whatsoever, enacted by, with, or before such Majority, shall operate, to all Intents and Purposes, as if the same had been enacted by all the said Commissioners who are directed to operate by this Act: Provided nevertheless, That the annual Board hereinafter specially appointed, for rating and assessing the Sums annually to be raised under this Act, shall and is hereby expressly required to consist of at least Seven of the said Commissioners: And provided also, that the whole number of Commissioners under this Act, at any one time shall not consist of more than thirteen Commissioners.

And be it further enacted and declared, by the Authority aforesaid, Clause II.
That the Commissioners shall meet at the Town-hall of Grenville, on the first Wednesday of the first Month after the Publication of this Act, and are hereby empowered to adjourn the said Meeting from time to time, to such Place or Places, in the said Town of Grenville, and to such time or times as the Commissioners aforesaid shall appoint, at the said first, or any subsequent Meeting or Meetings: Provided, always, that there shall during the continuance of this Act, be held twelve stated Meetings of the said Commissioners, in every Year; which Meetings shall be held in the said Town of Grenville, on the first Wednesday in every Month, which said Meetings shall be held at the Town-hall, or at such other convenient House, in the said Town of Grenville, as the Commissioners, as aforesaid, shall, at the said first Meeting, or at any of the said stated Meetings, appoint.

And whereas, a considerable Debt, as aforesaid, hath been incurred by the Commissioners of the said Harbour and Town of Grenville, acting under, and by virtue of, and appointed in and by "An Act to explain, amend, and reduce into one Act, the several Laws relating to the Establishment and Regulation of the Harbour and Town of Grenville, and for enlarging, altering, and rendering more effectual the Form and Powers of the said Acts, appointing Commissioners, and levying Moneys, for carrying the Purposes of this Act into Execution, and authorizing such Commissioners to enter into Contracts or Agreements with any Person or Persons, for procuring a stream of fresh Water into the said Town of Grenville, and for preventing encroachments on the public Landing, or other Lands reserved for public Uses in the said Town of Grenville;" And, as it is necessary to raise a Sum of Money sufficient for the payment thereof, Preamble.

Be it therefore further enacted, by the Authority aforesaid, That it shall and may be lawful for the Commissioners herein-before appointed, as aforesaid, and they are hereby empowered and directed, at their first, or any subsequent Meeting after the Publication of this Act, to make one general Rate or Assessment on all Sugar, Rum, Cotton, Cocoa, and Coffee, that shall be made in the said Parish of Saint Andrew, or on any Estate or Estates in the said Parish of Saint Patrick, bounding on the River Antoine, in such manner and Proportions as the said Commissioners, or the major Part thereof, at either of the said Meetings, shall judge proper, for raising a Sum not exceeding Three Thousand Pounds Currency, for the purpose of paying off and discharging the Debts already contracted, and such Rate or Assessment, to be payable the thirtieth Day of April next after the Publication of this Act, which said Assessment shall be notified under the Clause III.
Commissioners empowered to lay such Assessments as shall be judged proper to raise £3000 to discharge the Debts of the Port.

To be payable the 30th of April, after

Publication of this Act, to the Treasurer to be appointed.

Clause IV.
Assessment to be made on the Produce as returned to the public Treasurer, for raising the public Taxes.

Public Treasurer to give certified Copies of such Returns to the Commissioners, within 14 Days after demand.
Penalty for his neglect or refusal, £100.

Clause V.
Treasurer of the Port to give public notice when and where the Assessments are to be paid.

Penalty for refusing to pay, or neglecting so to do.

Proviso.

Hands and Seals of the Commissioners attending the Meeting at which the same shall be imposed, within Fourteen Days after such Assessment, to the Treasurer who shall be appointed as herein-after directed, who is hereby authorized and empowered to receive the same.

And be it further enacted, by the Authority aforesaid, That such Assessment, as aforesaid, shall be made on such Sugar, Rum, Cotton, Cocoa and Coffee, according to the quantity of Sugar, Rum, Cotton, Cocoa and Coffee, that has been returned to the public Treasurer of this Island, for the Purpose of raising the public Taxes of the said Island, for this Year; a Copy of which List, as returned to the said public Treasurer, he is hereby directed and required to give, certified under his Hand, to the said Commissioners, herein-before appointed, or to their said Treasurer, on demand made thereof, within fourteen Days after such demand; and in case the said public Treasurer shall neglect or refuse to give such List, so certified, as aforesaid, to the Person or Persons so 'demanding the same, in manner aforesaid, he shall forfeit and pay the sum of One Hundred Pounds, Current Money, for each and every neglect or refusal, to be recovered against him by Action of Debt, to be brought in the Supreme Court of Judicature, in the Names of the said Commissioners, or any Five of them; and such Action shall not abate by the death of one or more of the said Commissioners, in whose Name or Names the same shall be instituted or brought: Provided, one or more of such Commissioners shall be living, nor shall the same be discontinued without the consent and direction of the major Part of such Commissioners, in whose Names such Action shall be instituted, who shall be living at the time of such discontinuance: And the said sum of One Hundred Pounds, when recovered, shall be paid into the Hands of the Treasurer, to be appointed by the said Commissioners, to be applied, by the said Commissioners, to the Use of the said Harbour and Town of Grenville.

And be it further enacted by the Authority aforesaid, That the said Treasurer of the said Port, to be appointed as hereinafter directed, shall, within twenty-one Days before the Day or Days appointed for the payment of the said Assessments, give Notice, in the public Paper of this Island, or by public Notice in Writing, fixed on the Door of the Town-hall aforesaid, at the same time appointing a particular Place or Places, and Hour or Hours, of the Day when he will attend to receive the same; and if any Person or Persons, who is, or are, liable to the payment of such Assessment, shall neglect or refuse to pay the same, or any part thereof, in manner hereinbefore directed, on the Day appointed for the payment of the said Assessments, or within fourteen Days after such Day, the same shall be levied on the Goods, Chattels, Lands and Tenements of the Person or Persons so refusing or neglecting to pay the same, by Warrant, under the Hands and Seals of the said Commissioners, at their next monthly Meeting, or such of them as shall attend such Meeting, directed to any Constable, requiring him to distrain and levy on the Goods and Chattels, Lands and Tenements of the Person or Persons so liable, and refusing or neglecting to pay the same, and sell the same at public Auction, in the said Town of Grenville, within fifteen days after such distress and levy shall be made, unless the Person or Persons, on whom such distress and levy shall be made, shall, in the mean time, pay such Assessment, for which such distress and levy shall have been made, and all Costs, Charges, and Expenses attending the making thereof; and the surplus on such sale, after deducting all reasonable Charges as shall be ascertained and allowed by the Commissioners, for levying and selling the same, shall be returned to the Person or Persons on whom such distress and levy shall have been made, or his, her, or their legal Representative or Representatives, within fourteen Days after such sale: Provided, that nothing in this Clause, or the foregoing Clauses of this Act, shall extend, or be construed to extend to prevent the raising the annual Assessment or Taxes hereinafter directed to be raised, for the preservation of the said Town and Harbour of Grenville, during

the Year in which the sum hereinbefore assessed and imposed is assessed and imposed.

And be it further enacted by the Authority aforesaid, That if any one or more of the said Commissioners shall die during the continuance of this Act, or shall go to Europe, or be absent from the Meetings aforesaid, for the space of six Months, successively, or shall declare at any of the said Meetings, his, or their, desire of ceasing to be one or more of the said Commissioners, or not being Collector or Comptroller of the said Port of Grenville, shall cease to be a Freeholder or Freeholders, or to be the acting Attorney or Attorneys of absent Freeholders of the Parish of Saint Andrew, or any of the Estates of the Parish of Saint Patrick, bounding on the River Antoine, in the said Island of Grenada, it shall and may be lawful for the remaining Commissioners, or a majority of such remaining Commissioners as shall be assembled at the said stated Meetings, and they are hereby authorised and required to apply to the Governor or Commander-in-Chief, for the time being, to appoint, and it shall and may be lawful for the said Governor and Commander-in-Chief, for the time being, on such application, to appoint any Person or Persons being a principal Freeholder or Freeholders, or the acting Attorney or Attorneys of such absent Proprietor or Proprietors, in the said Parish of Saint Andrew, or of any of the Estates in the Parish of Saint Patrick, bounding on the River Antoine, to be a Commissioner or Commissioners, to supply the Place or Places of such Commissioner or Commissioners, deceased, departed for Europe, absent from the Island for six Months, or who had ceased to be a Freeholder or Freeholders, or to be the acting Attorney or Attorneys of absent Freeholders, as aforesaid : and every such Person, so appointed, shall be, and he is, hereby, declared to be, to all Intents and Purposes, vested with the same Powers for carrying this Act into Execution, as any of the Commissioners already named and appointed by this Act ; and every Person, in whose Place every such new Commissioner shall be appointed, is hereby declared to cease from thenceforward to be a Commissioner under this Act, anything in this Act, to the contrary, in any wise, notwithstanding ; and the said Commissioners, hereby appointed, or hereafter to be appointed, shall within thirty Days from and after their Appointment, apply themselves to some Justice of the Peace to be sworn, and shall, before him, take the following Oath, viz. :

" I A. B. do solemnly and sincerely swear, that I will, to the best of my skill and knowledge, faithfully execute and fulfil the Office of a Commissioner for the Port and Harbour of Grenville, according to the true intent and meaning of an Act, intituled, ' An Act for reducing into one Act of the Legislature, the several Laws relating to the Port and Harbour of Grenville, in the Parish of Saint Andrew, in the Island of Grenada, and for the better and more effectually preserving the same ; and for appointing Commissioners for that purpose, and for raising funds for defraying the expenses thereof, and for repealing all other Acts and Clauses of Acts relating thereto, and for other Purposes, therein mentioned,' without Fear, Favour, or Partiality. So help me God."

And be it further enacted by the Authority aforesaid, That if any Commissioner, hereby appointed, shall refuse to take upon him the Execution of the said Office, or acting, shall refuse to take the Oath hereinbefore prescribed, or shall neglect or refuse to perform any part of the Duty enjoined by this Act, or shall wilfully pervert or abuse all, or any, of the Powers hereby reposed in him, he shall and may be prosecuted at the Supreme Court of Judicature, held in this Island, by Presentment, Information, or Indictment, and, if found guilty, he shall, for every such Offence, be fined, at the discretion of the said Court, in any sum not less than Ten or more than One Hundred Pounds, Current Money.

And be it further enacted by the Authority aforesaid, That it shall and may be lawful for the Commissioners hereinbefore appointed, and their

Clause VI.
How Vacancies of
Commissioners to
be supplied.

Commissioners to
be sworn within 30
days after their Ap-
pointment.

The Oath.

Clause VII.
Penalty for Com-
missioners refusing
to act, or take the
Oath, &c.

Clause VIII.
Rates and Taxes

assessed on Pro- Successors, as aforesaid, for the time being, at the said first Meeting, and
duce, &c. at every annual special Meeting, for the Purpose of raising and assessing
the sums annually to be raised under this Act (which said first and all
other special Meetings are hereby directed and appointed to be held on the
second Wednesday in the Month of January, yearly, and every Year),
and in case the number of Commissioners then assembled shall be less than
seven, as hereinbefore directed, then, and in every such case, such special
Meeting shall stand over adjourned, from Day to Day, until the said number
of seven, or more, Commissioners be assembled, to lay and assess any sum
or sums not exceeding the following Rates and Taxes, that is to say; *Any
sum or sums not exceeding Three Shillings and Sixpence, Current Money of
these Islands, for every Hogshead of Sugar, and Two Shillings and Sixpence
for every Hogshead of Coffee or Cocoa, every Puncheon of Rum, or Cask of
Molasses, and Bale of Cotton; and Two Shillings for every Tierce of Sugar,
Coffee, Cocoa, or Hogshead of Rum, and Half Bales or Pockets of Cotton;
and Ninepence, like Money, for every Barrel of Sugar, Rum, Cocoa, or Coffee;
and for every Bag of Coffee or Cocoa, which shall be shipped, or in anywise
water-borne, within the limits of the River Antoine, with the several Estates
in the Parish of Saint Patrick, bounding on the said River Antoine, the Port
and Bay of Saint Andrew, inclusive, at or from the said Port of Grenville,
from and after the Publication of this Act, whether the same be sent directly
to Europe, or elsewhere, abroad, or be sent Coastwise; * which said Taxes,
Duties, or Assessments, shall be notified under the Hands and Seals of the
Commissioners, as aforesaid, within fourteen Days after such Assessment,*
to the Treasurer, who shall be appointed by the Governor, or Commander-
in-Chief, for the time being, to receive the same, who, upon application and
recommendation of the said Commissioners, is hereby requested to appoint
the same; or, if such Treasurer be not then appointed, as soon afterwards
as he shall be appointed, as aforesaid; and which said several sums the
said Treasurer shall receive and take from the Owners or Shippers of such
Goods, or from some Person or Persons on their Behalf, and shall, upon
receipt of the same, give a Certificate thereof, for each respective payment,
under his Hand, without demanding or taking any Fee for the same: And
also the following Rates upon all Ships, or other Vessels (Droghers ex-
cepted), trading to the said Harbour, that is to say: *One Half of the afore-
said Rates, respectively, upon all Produce of these Islands, laden, or to be
laden, on board of such Ships or Vessels, to be paid by the Master or Mas-
ters, Owner or Owners, or other Persons, on their behalf, to the Treasurer,
on all Produce, whatsoever, within the limits abovementioned, in like manner as
is hereinbefore directed; † And the Collector and Comptroller of his
Majesty's Customs of the said Port of Grenville, and the Naval Officer
acting at the said Port, shall refuse, and they, and every one of them, is,
and are, hereby authorized and required to refuse to clear out any such
Vessel or Vessels, until such Certificate, or Certificates, shall be produced,
under the Hand of the said Treasurer, that the Rates so assessed on such
Vessels, and on the aforementioned Goods shipped therein, have been fully
satisfied and paid; and every Collector, Comptroller, or Naval Officer, who
shall, without such Certificate, clear out any such Vessel from the said Port
of Grenville, and every Master or Owner of such Vessel, and every Owner
or Shipper of such Goods, as aforesaid, who shall refuse, or neglect, to
pay to the said Treasurer the Taxes or Duties imposed by this Act, on such
Vessels and Goods, respectively, shall, for every such Offence, forfeit the
sum of One Hundred Pounds, Current Money of the said Island of Gre-
nada, to be sued and recovered in the Supreme Court of Judicature of the
said Island of Grenada, by, and in the name of any five of the said Com-
missioners for the time being, wherein no Essoin, Protection, Privilege, or
Wager of Law, Injunction, or Order of Restraint, or any more than one*

Treasurer, how ap-
pointed.

Penalty for refusal
or neglect to pay
taxes or duties to
the Treasurer.

* Repealed by No. 53, Clauses 1, 2.

† Repealed by No. 52, Clauses 1, 3.

Imparance shall be granted or allowed, which Suit or Suits shall not abate by the death of any one or more of the said Commissioners, if any one or more of the said Commissioners who commenced such Action shall be living, nor shall such Action or Suit be discontinued, unless by the direction and consent of the major part of the Commissioners by whom the same shall be instituted, and which said sum or sums, so sued and recovered, after deducting the necessary expenses for recovering the same, shall be paid to the Treasurer, to be appointed by virtue of, and shall be applied towards the Purposes intended by this Act to be attained.

And be it further enacted, by the Authority aforesaid, That the Person who shall be appointed Treasurer, as aforesaid, for the Purposes of this Act, shall constantly reside, and have a public Office in the said Town of Grenville, and shall attend at his Office, every Day, except Sundays, unless prevented by sickness, in which case he shall appoint a Deputy, for whose Acts he and his Securities, hereinafter mentioned, shall be answerable, as for his own, and which shall, to all intents and purposes of this Act, be considered as the acts of the said Treasurer; and the said Treasurer shall, before he shall be authorized to act in the said capacity of Treasurer, enter, before the Commissioners, as aforesaid, into a Bond, or Obligation, to the said Commissioners, with two such good and sufficient Securities as the Commissioners, as aforesaid, shall approve, in the Sum of One Thousand Pounds, Current Money of the said Island of Grenada, conditioned for the faithful discharge of his Office, which Bond, or Obligation, the said Commissioners are hereby authorized and required to transmit to the Secretary, to be lodged in the Register's Office; and shall also, at the same time, and before he shall enter upon his Office, take the following Oath, which the Commissioners, as aforesaid, are hereby authorized to administer:

Clause IX.
Residence of the
Treasurer.

Security to be given,

and Oath to be
taken.

Form of Oath.

"I, A. B., do swear, that I will, to the utmost of my power, fulfil, perform and execute, the Office of Treasurer of Moneys, collected, or to be collected, for the use and benefit of the Town and Harbour of Grenville, under and by virtue of this Act, for that purpose made and provided, and that I will not detain nor convert to my own use (except in such cases as I shall be allowed by Law), and that I will not embezzle the Moneys I shall receive as Treasurer, or any part thereof, but that I will keep the same, to be forthcoming, and paid immediately to the Order or Orders of the Commissioners, appointed in or by virtue of this Act, as directed by the same, and in regular succession, as the said Orders shall, from time to time, be presented to me, and that I will conform to the true meaning and intent of the Act, by virtue of which I am appointed Treasurer."

And be it enacted, by the Authority aforesaid, That the Treasurer shall keep, in a Book to be provided by him for that purpose, a fair and exact account of all Moneys by him received, specifying, in a plain, mercantile manner, from whom, and at what time, the said Moneys shall have been so received; and, in like manner, an account of all the Moneys by him paid, specifying the date of such payments, respectively, and the dates of the Orders, by the authority of which he shall have paid the same; and also the respective times such Orders shall have been presented to him.

Clause X.
Book of accounts to
be kept by the Treas-
urer.

And be it further enacted, by the Authority aforesaid, That the said Treasurer shall, at every stated Meeting of the Commissioners aforesaid, lay before them an account of all Moneys received and paid by him, as aforesaid, previously to the last preceding stated Meeting; and also of all Moneys levied by virtue of this Act, then due and owing, as far as the same shall come within his knowledge, and specifying the causes of his not receiving or recovering the same; and if such Treasurer, when required by the Commissioners, as aforesaid, shall refuse or neglect to produce the said Accounts, duly and regularly kept and stated as aforesaid, he shall, for every such Offence, forfeit, to the said Commissioners, to be applied to the purposes intended to be attained by this Act, the sum of Fifty Pounds,

Clause XI.
Treasurer to lay his
accounts before
every meeting.

Penalty for neglect,
£50.

How recovered.

Current Money, of the Island of Grenada, to be sued, recovered, and applied in the same manner as the Forfeitures to which Masters and Owners of Vessels, and Owners and Shippers of Goods, are liable, by the fourth Clause of this Act, are directed to be sued, recovered, and applied.

Clause XII.
Treasurer compelled to pay deficiencies.

And be it further enacted, by the Authority aforesaid, That if, upon examination of the Accounts which shall be laid before the said Commissioners, or, in case such Treasurer shall, when required, as aforesaid, refuse or neglect to lay his Accounts, in the manner hereinbefore directed, before the Commissioners, as aforesaid, or if, upon any other sufficient proof, to the satisfaction of the Commissioners, as aforesaid, it shall appear to them that the said Treasurer had neglected or refused to pay the amount of any Order, or Orders, drawn by the said Commissioners, as authorised by this Act, out of Moneys arising from the Duties imposed, or Forfeitures incurred, by this Act, and which were, or ought to have been, received by the said Treasurer, or that the said Treasurer shall, or ought to, have had a balance of Moneys in his Hands, by virtue of this Act, which he shall have refused to pay, or otherwise to hold, at the disposal of the Commissioners, as aforesaid, by any Order drawn upon him, in pursuance of this Act, then, and in every such case, it shall and may be lawful for the Commissioners as aforesaid, to sue the said Treasurer and his Securities, upon their said Bond, or Obligation, in the Supreme Court of Judicature of the said Island of Grenada; in which Court a Certificate, under the Hands and Seals of the Commissioners, as aforesaid, shall be deemed and taken as sufficient evidence of any such refusal or neglect, and of the amount of any such deficiency on the part of the said Treasurer of the balance of Moneys unaccounted for by him as aforesaid.

Clause XIII.
Disqualification of Treasurer.

And it is hereby further enacted and declared, by the Authority aforesaid, That from, and immediately after the commencement of such suit, such Treasurer shall be, and he is hereby declared to be, *ipso facto*, dismissed from, and for ever after rendered incapable of, serving in the said Office, and the Commissioners, as aforesaid, shall, and they are hereby directed and required, at their stated Meeting, next immediately after the commencement of such Suit, or some subsequent stated Meeting, and the consequent dismission and disqualification of the said Treasurer, to recommend a proper Person to serve in the said Office, to the Governor or Commander-in-Chief, for the time being, which said Successor, and his Successor or Successors, shall take the same Oath, give the same Security, and be liable to all the Conditions, Restrictions and Regulations, to all intents and purposes whatsoever, to which the Treasurer first to be appointed, is bound, and shall be vested with all the Power, and shall enjoy all the Profits and Emoluments enjoyed by the said first Treasurer, by virtue of this Act.

Vacancy supplied.

Clause XIV.
Treasurer to pay no money without order of the Commissioners.

And be it further enacted, by the Authority aforesaid, That if any such Treasurer shall pay or dispose of any Money, by him received or collected, by virtue of, or under the authority of, this Act, to any Person or Persons, or upon any account or pretext whatsoever, without an Order first duly had and obtained for that purpose, from the Commissioners, as aforesaid, no such sum or sums of Money, or any part thereof, so paid or disposed of, without such Order first had and obtained, shall be allowed to any such Treasurer, in the adjustment or settlement of his Accounts, and such sum or sums shall be considered as so much deficient in the Accounts of the said Treasurer, and shall be recovered from the said Treasurer, or his Securities, in the manner hereinbefore mentioned.

Clause XV.
Order of payment of Commissioners drafts.

And be it further enacted, by the Authority aforesaid, That all Orders that shall be passed for the payment of any sum or sums of Money, shall be numbered as they are issued, and shall be paid by the said Treasurer, upon presentation of the same, if any Moneys arising from or raised by virtue of this Act, shall be then in his Hands; and if there shall not, at the time of such presentation, be Money in the Hands of the said Treasurer, sufficient

to pay such Order, when presented, he is, hereby, directed and required, in all such cases, to accept such Order, noting the date of such acceptance, on the Face of the Order, and having entered the same in a particular Book of such unpaid Orders, he then shall return the said Order to the Holder, and shall not thereafter pay any subsequent Order or Acceptance, to the prejudice of the Holder or Holders of such Acceptance, or Acceptances; and if two or more Orders shall be presented to him at the same time, and that there shall not be sufficient Public Moneys then in his Hands to satisfy all the said Orders, then, and in that case, the said Orders shall have a preference of payment, according to the priority of their respective dates and numbers.

And be it further enacted, by the Authority aforesaid, That the Treasurer is hereby required and directed to attend at every stated Meeting of the Commissioners, as aforesaid, and at any other Meeting or Meetings that the Commissioners, as aforesaid, shall think proper to direct, if so ordered by them, and then and there shall write down the Minutes of the Proceedings of the Commissioners, as aforesaid, and shall write or copy Letters, and shall do and perform the office of a Clerk to the Commissioners, as aforesaid, and shall obey all such lawful and reasonable commands, in his said capacity of Treasurer and Clerk, as he shall receive from the Commissioners, as aforesaid, at any such Meeting, as aforesaid.

Clause XVI.
Treasurer to attend meetings of the Commissioners, and to act as Clerk.

And be it further enacted, by the Authority aforesaid, That the said Treasurer shall have and receive, and it shall and may be lawful for the said Treasurer to deduct from the Moneys received by him, by virtue of this Act, for performing the several Duties imposed upon him by virtue of this Act, such a Salary as shall, from time to time, be provided by the Commissioners, as aforesaid, at any of the said stated Meetings: Provided always, That the said Salary shall not, in any one Year, exceed the sum of One Hundred and Sixty-five Pounds, Current Money of the said Island of Grenada, which Salary shall be in lieu of Poundage, Commission, Wages, and all other Charges or Demands whatsoever: And Provided also, That such deduction be not made till the expiration of one Year after such Treasurer shall enter into his said Office, which Year shall commence from the date of his Qualification and Appointment by the Governor, or Commander-in Chief, for the time being, and so, yearly, at the end of every Year.

Clause XVII.
Allowance to Treasurer.

And be it further enacted, by the Authority aforesaid, That it shall and may be lawful for the Commissioners, as aforesaid, to draw any Order or Orders upon the said Treasurer, for the discharge of any expenses which have been incurred before the Publication of this Act, by the direction or authority of a majority of any Commissioners for the time being, appointed in or by virtue of this or any former Act or Acts for establishing or regulating the said Harbour and Town of Grenville, for the purposes intended to be attained by such Act or Acts, and for the necessary and reasonable charges incurred and paid for preparing and passing this Act.

Clause XVIII.
Power to pay former expenses, incurred for Grenville harbour.

And be it enacted, by the Authority aforesaid, That it shall and may be lawful for the Commissioners, as aforesaid, appointed in or by virtue of this Act, or a majority of the same, and they are, hereby, required to call any former Treasurer or Treasurers of any Moneys received, by virtue of any Act or Acts, for regulating and establishing the said Harbour of Grenville, or for explaining and amending any such Act or Acts, their, or any of their, legal Representatives or Securities, to give an account of the expenditure of such Moneys, in the same manner, upon one Month's notice, to be given to such former Treasurer, his legal Representative or Representatives, Security or Securities, under the hands of the said Commissioners, as aforesaid, and at the same times and places, to all intents and purposes, as the Treasurer to be appointed by virtue of this Act; and any such former Treasurer or Treasurers, their, or any of their, legal Representatives or Securities, who shall refuse or neglect to produce such Accounts, when so required, or who shall be found indebted, or in arrear, on a fair State of

Clause XIX.
Commissioners empowered to call former Treasurers to account.

such Accounts, or to have a balance of such Moneys in his or their Hands, and shall neglect or refuse to pay over the said Balance or Deficiency, into the Hands of the Treasurer, to be appointed by virtue of this Act, within one Month after he or they shall be required and directed to pay the same, by the Commissioners, as aforesaid, appointed in or by virtue of this Act, by a Writing under their Hands and Seals, such Treasurer or Treasurers, their legal Representative or Representatives, Security or Securities, so refusing or neglecting, as aforesaid, shall be liable to the same Penalties, Forfeitures, and Recoveries, as the Treasurer to be appointed by virtue of this Act, and his Securities is and are liable, in the like cases, and shall be levied, recovered, and applied in the same manner as the Moneys which shall or may be levied and recovered against the Treasurer to be appointed by virtue of this Act, and his Securities, in the like cases, to all intents and purposes whatsoever.

Preamble.

And whereas, upon examination of the Accounts of such former Treasurer or Treasurers, it may appear, that although under and by virtue of the former Acts for regulating and establishing the said Harbour of Grenville, or for explaining or amending such Act or Acts, the Treasurer, for the time being, was thereby fully authorised to receive and recover the several Taxes and Assessments, in and by the aforesaid Acts, or some of them, laid and imposed, yet, through neglect of making a lawful demand of the same, or otherwise, sundry persons now are, or may be, still in arrear for such Taxes or Assessments,

Clause XX.
Power to compel
payment of arrears,
under former Acts.

Be it therefore enacted by the Authority aforesaid, That the Commissioners, as aforesaid, appointed in and by virtue of this Act, or a majority of such Commissioners, shall have, and are hereby vested with full Power and Authority to call such Person or Persons as shall, or may, upon such examination, appear to be indebted, as aforesaid, to account for such arrears, and in case of refusal, within the like time as hereinbefore given and limited to such former Treasurer or Treasurers, for payment of their arrears, then to enforce the payment thereof, in like manner, and by the same ways and means, and under and subject to the same Penalty or Penalties, as in and by this Act is, and are before given and directed, with respect to such former Treasurer or Treasurers, to all intents and purposes whatsoever.

Clause XXI.
Treasurer obliged
to account for sums
received by virtue
of such former Acts.

And be it enacted by the Authority aforesaid, That all and every sum or sums of Money which shall be received or recovered from any former Treasurer or Treasurers, or other Person or Persons as shall or may be indebted for any Taxes or Assessments, and by virtue of any former Act or Acts, as aforesaid, shall be paid into the Hands of the Treasurer to be appointed by this Act, and be contained and mentioned in the Books of, and accounted for by, such Treasurer, in the same manner as any other Moneys, raised and received by him under the authority of this Act.

Clause XXII.
Commissioners em-
powered to pur-
chase, repair, re-
move, and alter
buoys, chains, &c.

And be it further enacted, by the Authority aforesaid, That it shall and may be lawful for the Commissioners, as aforesaid, at any of the said stated Meetings, to order, contract for, or purchase, or otherwise provide such proper Anchors, Chains, Cables, Buoys, Warps, Boats, and other Implements, Materials, or Instruments, of what nature or kind soever, which they shall, in their discretion, think necessary, or conducive to the convenience or safety, of the Vessels which now are in, or shall, from time to time, come into, the said Harbour of Grenville, or to the expediting or facilitating the coming-in or departure of such shipping, and lading or unlading Goods or Produce, on or from on board of the same; and to order, direct, and authorise, such Anchors, Cables, Buoys, Warps, Boats, and other Materials, as aforesaid, to be placed, used and employed in such a manner, and at such times, and upon such conditions, as they, in their discretion, shall think most conducive to the safety and convenience of the Shipping in, or coming in, or going out of the said Harbour, and to the safe and expeditious lading and unlading Goods, on or from on board the said Shipping:

and, from time to time, to provide for the repairing, preserving, altering, removing, or otherwise disposing of such Anchors, Cables, Buoys, Warps, Boats, and other Materials, now, or hereafter, found in the said Harbour, as they, in their discretion, shall think proper, and to appoint or remove a Pilot or Pilots, for the said Harbour, and to form Regulations for the conduct of the said Pilot or Pilots; and for the lying, managing and disposing of the Shipping in the said Harbour, so as that they may create the least obstruction possible to each other, and for facilitating and quickening the lading and unlading, and departure of such Shipping; and for removing obstructions in, and preserving the said Harbour, and to erect such Quays, Wharves, Cranes, or other Buildings or Erections, as shall appear to them necessary for promoting and facilitating the Trade of the said Town and Harbour of Grenville, or conducive to the welfare of the Proprietors of the Plantations contiguous to the same.

And be it further enacted, by the Authority of the same, That it shall and may be lawful for the Commissioners, as aforesaid, to give Orders, under their Hands, upon the Treasurer; to be appointed by this Act, for all reasonable and necessary charges incurred by the purchases which shall be made, or the business done by direction of the Commissioners, as aforesaid.

Clause XXIII.
Commissioners to draw on Treasurer for expenses incurred, &c.

And be it further enacted, by the Authority aforesaid, That the said Commissioners, or any of them, shall not, in his, or their private capacity or capacities, be liable to pay the amount of such Orders, or to be answerable for any purchases made by, or business done for them, in their said quality of Commissioners, as aforesaid; Provided always, That the said Orders be drawn, the said purchases made by, and the said business done for, a majority of Commissioners present at any Board, as the same is constituted and authorised by this Act.

Clause XXIV.
Not liable in their private capacities.

And be it further enacted, by the Authority aforesaid, That the said Commissioners are hereby ordered and directed to lay before the Governor or Commander-in-Chief, for the time being, and the Members of His Majesty's Council, for the Island of Grenada and the Grenadines, and also before the Assembly of the Representatives of the People, for the time being, once in every twelve Months, a State of their Proceedings, and an Account of the Expenses incurred by carrying this Act into Execution.

Clause XXV.
To lay accounts of their proceedings before the Governor, Council, and Assembly.

And be it further enacted, by the Authority aforesaid, That any Pilot or Pilots who shall be appointed by the Commissioners, as aforesaid, and shall accept such employment or employments, shall be, and he and they are hereby directed to obey all lawful and reasonable commands of the Commissioners, aforesaid, concerning his or their said employment or employments, respectively, and the said Pilots, and all Masters of, and Mariners belonging to, Vessels, in the said Harbour of Grenville, are hereby directed and required to obey all Regulations formed by the Commissioners, as aforesaid, at any of the said stated meetings, provided the same be advertised and made public, by posting the same on some part of the Town Hall and Custom House, in the said Town of Grenville; and any Pilot who shall disobey such lawful commands, as aforesaid, or any such Pilot or Master of a Vessel, or Mariner, who shall not follow the said Regulations, shall, if a Pilot, be deprived of his said employment, and, if a Master of a Vessel, or Mariner, he shall be fined in a sum not exceeding the sum of Twenty Pounds, Current Money of the said Island, at the discretion of the Commissioners, as aforesaid, to be levied, if against a Master of a Vessel, or Mariner, by Warrant under the Hands of the Commissioners, aforesaid, directed to the said Treasurer, to withhold his Certificate of such Captain having paid the Duties, Taxes, or Assessments, imposed by this Act, until such Fine, imposed upon such Captain or Mariner or Mariners, belonging to the Vessel commanded by such Captain, shall be satisfied and paid to the said Treasurer; and to be applied in the same manner as other Fines imposed by this Act, and if such Fine be on a Pilot or Pilots, the same

Clause XXVI.
Pilots, Captains, and Mariners to obey the Commissioners.

shall be levied by Warrant, in the nature of a Distress, under the Hands and Seals of the Commissioners, as aforesaid, directed to any Constable, to distrain the Goods and Chattels of such Offender, and sell the same by public Auction, in the said Town of Grenville, the said Fine to be paid to the said Treasurer for the purposes of this Act, and the surplus, after deducting all reasonable charges for levying and selling the same, to be returned to such Pilot, or his lawful Representative.

Clause XXVII.
No Pilot to act
without permission
of Commissioners.

And be it further enacted, by the Authority aforesaid, That any and every Person who shall presume to act as a Pilot, for Fee or Reward, in or for the said Harbour of Grenville, without the Permission, in Writing, of the Commissioners, as aforesaid, at any of their said stated Meetings, first had and obtained, shall forfeit, for every such Offence, the sum of Ten Pounds, of Current Money of the said Island of Grenada, to be levied, paid, and applied in the same manner as Fines imposed upon Pilots, are directed to be levied, paid, and applied by this Act.

Clause XXVIII.
Pilot obliged to give
assistance to ves-
sels.

And be it further enacted, by the Authority aforesaid, That any and every Person established and appointed, as aforesaid, and acting as a Pilot in the said Harbour of Grenville, is hereby directed to repair to and give his utmost assistance to every Vessel appearing in the offing of, and steering towards the said Harbour, as well as to any other Vessel to which he shall be required by the Master, Owner, or other Person commanding, or having authority in or belonging to such Vessels; and any and every such Pilot, refusing or neglecting so to do, at proper times, at the discretion of, and certified by a Certificate thereof, signed by the majority of the Masters of Vessels then lying at Anchor in the said Harbour, and presented to the Commissioners, as aforesaid, at any of their said stated Meetings, unless such Pilot shall make it appear that at the time of such demand, he was employed or engaged on board of, or to another Vessel, for the like purposes, or disabled, by sickness, from attending the same, shall, for every such Offence, forfeit a sum not exceeding Twenty Pounds, Current Money aforesaid, to be levied, paid, and applied in the same manner as other Fines imposed on Pilots by this Act, are directed to be levied, paid, and applied; Provided always, and it is hereby directed and required, that the said Pilot or Pilots shall, upon every occasion, give a preference of his or their service, and of the Anchors, Warps, Boats, or other necessary Materials, belonging to the said Harbour, to such Vessel or Vessels as shall be loaded with the Produce of this Island, and bound for Great Britain: Provided always the Clearances of all Ships, or Vessels, claiming this preference, bear equal date with those to which they would be preferred.

Provision.
Preference to be
given to vessels
bound to Great Bri-
tain, if the Clear-
ances of such ves-
sels bear an equal
date.

Clause XXIX.
Penalty for throw-
ing rubbish in the
harbour £50.

And be it further enacted, by the Authority aforesaid, That if any Person or Persons shall throw from any Vessel or Vessels, lying in the said Harbour, or in the Channel leading thereto, any Rubbish or Ballast, or any other matter or thing tending to the prejudice of the said Harbour, or shall land and throw on shore any Rubbish or Ballast, or other matter or thing, as aforesaid, nearer than ten feet from above High Water Mark, except such as shall be landed by the Permission of the Proprietors of the Land where the same shall be thrown, shall, for every such Offence, forfeit the sum of Fifty Pounds, Current Money, aforesaid, to be levied, paid, and applied, in the same manner as Fines on Pilots, by this Act.

Clause XXX.
Penalty for break-
ing or taking buoys,
anchors, &c.

And be it further enacted, by the Authority aforesaid, That any Person who shall wilfully and maliciously break, sink, or destroy, or clandestinely take away any of the Beacons, Land Marks, erected by Order of the Commissioners, Anchors, Chains, Buoys, Warps, Cables, or boats, or other Utensils belonging to the said Harbour, and deposited at proper Stations, for the accommodation of Vessels entering into and going out of the said Harbour, and who shall be convicted thereof, before the Justices of the Court of the Supreme Court of Judicature for the said Island, or at any other Court which shall or may be established for hearing and determining

Criminal Matters, within the said Island, shall be deemed guilty of Felony, Guilt of Felony.
without Benefit of Clergy, and be punished accordingly.

And be it further enacted, by the Authority aforesaid, That it shall and Clause XXXI.
Pilot to give Security,
may be lawful for the Commissioners as aforesaid, and they are hereby
authorized and required to take Bond, with Two sufficient Securities, for
every Pilot appointed, or hereafter to be appointed, before such Pilot shall
be capable of acting in his or their capacity, respectively, in the sum of Five
Hundred Pounds, Current Money, aforesaid, to the Commissioners, condi-
tioned for the due and diligent performance of his or their Duty, respectively,
as prescribed in and by virtue of this Act, and shall be transmitted to the
Secretary, as directed in respect of the Treasurer's Bond and Obligation ; and to make oath
for faithful dis-
charge of his duty.
and such Pilot or Pilots shall, at the same time, also take Oath before the
said Commissioners, as aforesaid, who are hereby authorized to administer
the same, diligently and faithfully to obey the directions of this Act, during
his or their acting in his or their said capacity or capacities, respectively ;
and during the said time to conform to such Regulations as, from time to
time, shall be made by the Commissioners, as aforesaid, under the authority
of this Act.

And be it further enacted, by the Authority aforesaid, that the Master Clause XXXII.
Rates to be paid
for pilotage.
or owner of every Vessel, which now is or shall come into the said Harbour
of Grenville, shall, before he shall be cleared out, or be permitted to leave
the said Harbour, pay the following Rates for Pilotage into and out of the
said Harbour, viz. :

For every Square-rigged Vessel, drawing Thirteen Feet Water, and
upwards, Thirteen Pounds Four Shillings.

For every Square-rigged Vessel, drawing less than Thirteen Feet Water,
Nine Pounds, Eighteen Shillings.

For every Topsail Sloop or Schooner, Six Pounds Twelve Shillings.

For every Trading Sloop or Schooner, not qualified in the said Islands
as a Drogher, Two Pounds, Five Shillings.

For every Drogher, One Pound, Sixteen Shillings.

Which said rates, every such Vessel, respectively, shall pay to the Pilot
or Pilots, for the time being, or any of them ; Provided. always, and it is
hereby declared, that this Clause shall not be understood to extend to the
Masters of such small Craft as are qualified as Droghers, in the said Island,
and who shall pay said Rates for Pilotage only, as they apply for, and shall
be piloted in or out of the said Harbour, in which cases the said Pilot or
Pilots is and are not obliged to undertake the same, unless such Rates
herein mentioned, shall be first given and paid by the Masters of such
Droghers, any thing in this Act to the contrary in anywise notwithstand-
ing ; and the Collector and Comptroller, and acting Naval Officer of the
said Port, are hereby authorized and required to refuse to clear out any
Vessel (Droghers as aforesaid only excepted) until a Receipt shall have been
produced, under the Hand or Hands of such Pilot or Pilots, of such Rates
having been paid to him or them ; and if the said Collector, Comptroller,
or Naval Officer, shall clear out such Vessel without such Receipt first had
and obtained, such Collector, Comptroller, and Naval Officer, and each of
them shall, for every such Offence, on Proof before the Commissioners, as
aforesaid, forfeit the sum of Twenty Pounds, Current Money, as aforesaid,
to be sued, recovered, paid and applied in the same manner as the Fines
already imposed upon the said Collector, Comptroller, and Naval Officer,
by the Fourth Clause of this Act.

And be it further enacted, by the Authority aforesaid, That it shall and Clause XXXIII.
Pilots empowered
to demand assist-
ance.
may be lawful for the Pilot employed in piloting any Vessel out of the said
Harbour, to demand of the Master or Commander, a reasonable proportion,
not exceeding one half, of the ablest part of the Crew of Vessels lying in
the said Harbour of Grenville, or Channel, or Passes leading thereto, to be
supplied to him, on immediate notice, for the purpose of assisting or carry-
ing out the Vessel next in turn for sailing, and any such Master or Com-

Penalty for refusal, not to exceed £40. mander of any such Vessel, who shall refuse or neglect to afford such assistance, shall, on proof thereof, before any two of the said Commissioners, forfeit any sum, not exceeding the sum of Forty Pounds, like Current Money, to be levied in the same manner as Fines upon Pilots are directed to be levied, by the twenty-fifth Clause of this Act, save and except that such Warrant shall be under the Hands and Seals of such two Commissioners, only, and to be paid and applied in the same manner as other Fines imposed by the fourth Clause of this Act, on Masters or Commanders of Vessels in the said Port.

Preamble. And whereas, it will contribute to the ease, health, and convenience of the Crews of the Ships in the said Harbour, and of the Inhabitants of the said Town of Grenville, to have a Stream of fresh and wholesome Water conveyed into the said Town and Harbour ;

Clause XXXIV. Be it therefore enacted, by the Authority aforesaid, That it shall and Commissioners empowered to conduct water into the town of Grenville. may be lawful for the said Commissioners, as aforesaid, at any of their said stated Meetings, and they are hereby authorized to enter into any contracts or agreements with any Person or Persons which may be necessary for procuring and conducting a Stream of fresh and wholesome Water into the said Town of Grenville, and to cause the same to pass and be conducted by all and every necessary Ways and Means whatsoever, and in such direction as the Commissioners, aforesaid, shall judge necessary, and through the Lands and Estates of any Person or Persons whatsoever, provided the Proprietor or Proprietors thereof shall have been first paid the Loss or Damage which the same may occasion ; and if the Commissioners aforesaid, or such of them as shall or may be appointed for that purpose at any of the Meetings to be held in consequence of this Act, and such Proprietor or Proprietors cannot agree upon the Quantum of such Loss or Damage, the same shall be ascertained and appraised by two Persons to be indifferently chosen, one by such Proprietor or Proprietors, and the other by the said Commissioners, or such of them as shall be appointed, as aforesaid ; and in case of any disagreement between the said Arbitrators so to be chosen, as aforesaid, in regard of such valuation, it shall and may be lawful for the said Arbitrators, under and by virtue of this Act, and they are hereby empowered to choose any Person they shall agree to be an Umpire, who shall or may finally determine the same ; and upon such valuation and appraisement so to be made, as aforesaid, in case either party shall think proper to have any Witness or Witnesses examined in respect to such valuation, the said Commissioners, Proprietors, Arbitrators and Umpires are hereby respectively required to admit all and every such Witness or Witnesses, and to examine the same, upon Oath, to be administered unto all and every such Witness or Witnesses, by any Justice of the Peace, and after such valuation of the Damage or Loss shall so have been ascertained, then the said Commissioners, or such of them so to be appointed, as aforesaid, are hereby empowered to draw on the Treasurer aforesaid, for the amount of the same, as well as for the amount of the Expenses incurred in procuring and conducting such stream as aforesaid.

Preamble. And, towards the defraying the expenses of procuring and preserving the said Stream, and for repairing the Pipes, Spouts, or Gutters through which the same may be necessary to be conveyed, and for other purposes relating to the said Town and Harbour ;

Clause XXXV. Be it enacted, by the Authority aforesaid, That the Master, Owner, or Tax on Water. Commander of every Vessel, and every Inhabitant of the said Town, shall pay to the said Treasurer the following Rates, that is to say :

The Master or Owner of a Three Mast Vessel, each Voyage, Three Pounds, Six Shillings.

Of a Snow or Brigantine, Two Pounds, Five Shillings.

Of a Schooner or Sloop (not a Drogher in the Island of Grenada), One Pound, Sixteen Shillings.

Every Inhabitant, for him or herself, and every Person in his or her Family or Service, for every Year, Nine Shillings each.

The said Rates to be levied upon and paid by the said Masters and Owners of Vessels, and Inhabitants, in the same manner as Fines imposed upon Masters of Vessels are directed to be levied and paid by this Act, and to be levied and paid by the Inhabitants in the same manner as Fines are directed to be levied and paid by Pilots, by the Twenty-fifth Clause of this Act; and the Treasurer is hereby directed to receive the same, annually, after the Water is brought into the Town.

And whereas, the space of Ground reserved for a public Landing, in the said Town of Grenville, has, from time to time, been encroached upon, to the great prejudice of the Inhabitants of the said Town and Neighbourhood, Preamble.

Be it, and it is hereby enacted, by the Authority aforesaid, That from and after the Publication of this Act, it shall not be lawful for any Person or Persons whatsoever to build or erect any House or other Erection on any part of the said public Landing, situate in the said Town of Grenville, bounded by the King's High Road or Main Street of the said Town, on the West; by the Sea, on the East; by the Lands of the Heirs of Proudfoot, to the South; and by the Lands of Harry Gordon to the North; or on any other vacant space or spaces in the said Town of Grenville, heretofore reserved and appropriated for public uses: and if any Person or Persons after the Publication of this Act shall presume to build or erect any House, or other Erections on any part of the said public Landing or other reserved space or spaces as aforesaid, every such Offender or Offenders shall forfeit and pay the sum of Three Hundred and Thirty Pounds Current Money of these Islands, to be recovered and applied in like manner as Fines and Forfeitures of Pilots are, by the Twenty-fifth Clause of this Act, directed to be levied and applied; and it shall and may be lawful for the said Commissioners, or the major part of them as aforesaid, and they are hereby strictly required and enjoined to cause such Buildings and Erections so erected or built on the said public Landing, or other reserved space or spaces as aforesaid, to be forthwith removed and taken away at the expence of such Offender or Offenders respectively, and such expence when and as often as the same is incurred and ascertained shall be levied on the said Offender or Offenders respectively, in like manner as and over and above the Fine aforesaid; and to the end that the said public Landing or Landings may be rendered as useful, convenient, and easy of access as possible, the said Commissioners are hereby authorized and required to post up, among their other Regulations, as herein-before mentioned, such Rules and Orders as they, or the major part of them, at any of their stated Meetings aforesaid, from time to time think proper and necessary respecting the Landing, Unlading, and Continuance of all manner of Goods, Wares, and Merchandizes on the said public Landing or Landings, and to annex such Penalties to the Breach of all and any of their said Rules and Orders respectively, as the Commissioners, or a majority of them as aforesaid, in their discretion shall think fit, such Penalty or Penalties to be recovered, levied and applied as herein-before directed in the case of Buildings or other Erections on the said public Landing or Landings; Provided always, such penalty shall not exceed the sum of Thirty-three Pounds Current Money of these Islands for each Offence over and above the Expense of removing such Goods, Wares or Merchandize. Clause XXXVI.
Landing places provided.

And whereas, the said Commissioners appointed in and by the said herein-before recited Act, or some of them, have found it necessary to levy and collect certain sums of Money on the Sugar, Rum, Cotton, Cocoa, and Coffee, shipped and water-borne within the limits appointed by the said Act for the purpose of the preservation of the said Harbour of Grenville, beyond the Sums directed to be levied under and by virtue of the said Act, and without any proper legal authority for that purpose, but were induced so to do from motives of public utility: and whereas, the levying and col-

lecting such sum and sums of Money, was necessary, under the circumstances of the case, for the preservation of the said Port and Harbour of Grenville, and it is necessary that the said Commissioners, and all other Persons concerned in levying and collecting the same under the authority of the said Commissioners, should be indemnified,

Clause XXXVII.
Commissioners to
be indemnified,

Be it further enacted, by the Authority aforesaid, That all personal Actions and Suits, Indictments, Informations, and all Prosecutions and Proceedings, whatsoever, which have been, or shall be, prosecuted or commenced against any such Commissioners, or any Person or Persons, acting by their direction, or under their authority, for, or by reason of, levying and collecting any such sum or sums of Money, be, are, and shall be made void by virtue of this Act; and if any Action or Actions, Suits, Indictments, Informations, or Proceedings, shall be prosecuted or commenced against any such Commissioner or Commissioners, or any such person acting under their directions or authority, for levying and collecting any such sum or sums of Money, he or they shall and may plead the General Issue, and give this Act and the special Matter in evidence.

and to plead the
General Issue.

Preamble.

And whereas, although some Persons readily acquiesced in such Rates, and paid the same accordingly, yet others neglected or refused so to do, and it is therefore reasonable, not only that the Commissioners should be indemnified, but that such Persons as neglected or refused to pay the said Rates, should be compelled thereto, in case of any further neglect or refusal on their part,

Clause XXXVIII.
Arrears of assess-
ments, how to be
collected.

Be it therefore enacted by the Authority aforesaid, That all Arrears of such Rates or Assessments so imposed as aforesaid, shall be raised, levied, and collected, in manner, and at the time, herein-before directed, with respect to the Arrears now due and unpaid.

Preamble.

And whereas, the Town of Grenville hath become of greater consequence, and is now regarded as the principal Town,

Clause XXXIX.
Grenville declared
to be the principal
town.

Be it enacted, by the Authority aforesaid, and it is hereby declared to be, and stand ratified and confirmed for all Intents and Purposes whatsoever, as the principal Town of the Parish of Saint Andrew.

Clause XL.
Defendants under
this Act, may reco-
ver treble costs.

And be it further enacted by the Authority aforesaid, That if any Person or Persons shall at any time or times be sued, molested, or prosecuted for any thing by him or them done or executed, in pursuance of this Act, or of any matter or thing therein contained, such Person or Persons shall, and may plead the General Issue, and give the special matter in Evidence for his and their defence: And if a Verdict shall pass for the Defendant or Defendants, or the Plaintiff or Plaintiffs shall discontinue his, her, or their Action, or be nonsuited, or if Judgment shall be given against him, her, or them, upon Demurrer or otherwise, then such Defendant or Defendants shall have treble Costs to him or them awarded against such Plaintiff.

Clause XLI.
All former Acts re-
pealed.

And be it, and it is hereby enacted, by the Authority aforesaid, That all and singular the Acts, and Clauses of Acts heretofore at any time made relating to the Town or Port of Grenville, in as far as such Acts or Clauses relate to the same, from the day of the Publication of this present Act be repealed, and utterly void, and of none effect, save and except as far as the same, or any of them, are herein-before directed by this Act, to be, and continue in force, for the purposes of enforcing and collecting the several Taxes and Duties now in Arrear, and unpaid heretofore, by any Act laid and imposed for the purposes of maintaining and supporting the said Town and Harbour.

Clause XLII.
Duration of the Act.

And be it further enacted, by the Authority aforesaid, That this Act shall continue, and be in force, from and after the day of the date of the Publication thereof, for the Term of Two Years, and from thence till further provision is made by another Act of the Legislature for the purposes of this Act.

Clause XLIII.
Declared and deem-
ed a public Act.

And be it further enacted, by the Authority aforesaid, That this Act shall be deemed and taken to be a public Act, and shall be judicially taken

notice of as such, by all Judges, Justices, and all other Persons whatsoever, without specially pleading the same.

No. XXXV.

An Act for the Shutting up a certain Street in the Town of St. George, called Shelburn-street, and for vesting the same in John Ryburn, David Gibbs, — Philip, Archibald Armstrong, and William Mackie. [June 11, 1807.]

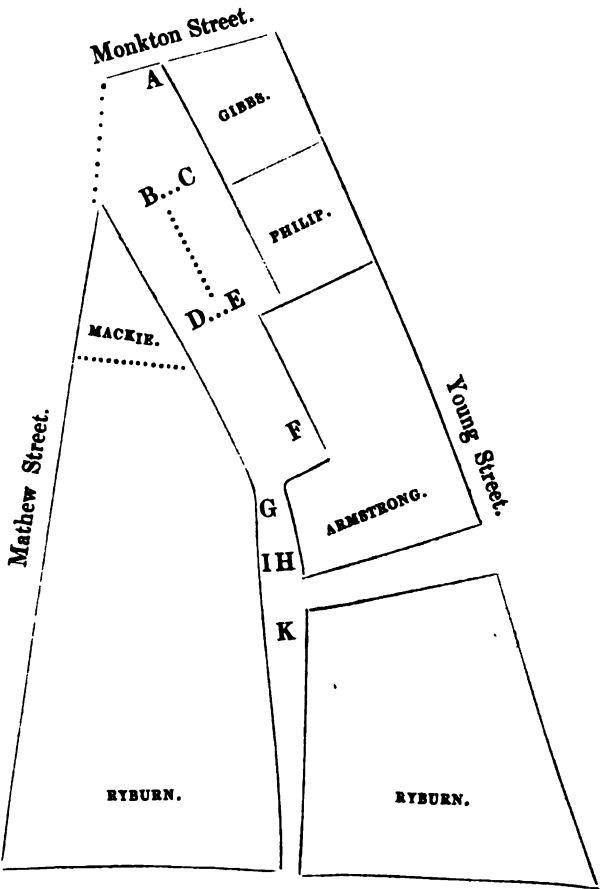
WHEREAS, the Ground set out for a Street in the Town of Saint George, Preamble.
called Shelburn-street, has no Thoroughfare, and it would be greatly to the advantage of the Public, and to the neighbouring Proprietors, if the same was shut up, it being used now merely as a receptacle of Filth and Rubbish ; And whereas, the said Street is bounded wholly on one side, on the South-west, by Land belonging to John Ryburn, Esquire, and on the other side, on the North-east, by the back side of the Houses fronting Young-street,

Be it therefore enacted, by His Excellency Frederick Maitland, Governor and Commander-in-Chief, in and over the Island of Grenada, and such of the Grenadines as lie to the Southward of Carriacou, including that Island ; the Honorable the Members of His Majesty's Council, and the General Assembly of the said Islands ; And it is hereby enacted, by the authority of the same, that from and immediately after the Publication of this Act, the said Street, called Shelburn-street, shall cease to be a public Street or Highway, and that the same shall and may be shut up, enclosed or fenced off, from the corner of the Wall of the Land and Premises of David Gibbs, Esquire, on the side of Monkton-street, in a parallel Line with the North-easterly Line or Side of Matthew-street, and from and after the making and completing of such Fence, in manner aforesaid, that the Site of the Ground of the said Street, and the Soil thereof, shall be, and is hereby vested in David Gibbs, — Philip, Archibald Armstrong, and John Ryburn, and their respective Heirs and Assigns, in manner, and in the proportions herein-after mentioned, and in the Plan or Diagram, to this Act annexed, particularly described, that is to say, as to so much thereof as lies aback of the said Land of the said David Gibbs, included in the said Diagram, between the Letters A B and C, to the use of the said David Gibbs, his Heirs and Assigns for ever ; and as to such other part thereof as lies adjacent to and between the Land of — Philip and William Mackie, and included in the Diagram within the Letters C E D, as to one Moiety thereof, lying next to the Land of the said — Philip, to the use of the said — Philip, his Heirs and Assigns for ever ; and as to the other Moiety thereof, lying next to the said William Mackie, to the use of the said William Mackie, his Heirs and Assigns for ever ; and as to such other part thereof as lies adjacent to the Land of the said Archibald Armstrong, and is included in the Diagram between the Letters D E F G H I, to the use of the said Archibald Armstrong, his Heirs and Assigns for ever ; and as to such remaining part thereof as lies within the Triangle K, to the use of the said John Ryburn, his Heirs and Assigns for ever ; And it is hereby declared that the Road or Street running between the Lands of the said Archibald Armstrong and John Ryburn, shall be continued and extended to the present Boundary of the said John Ryburn : Provided always, that the Site of the Ground of the said Street, and the Soil thereof, and all Buildings and Erections to be made thereon, shall be always subjected to, and liable, to the same Taxes, Rates, Impositions, and Assessments, as all other Lands and Buildings in the Town of Saint George are subject or liable to, any Act, Usage, or Custom, to the contrary thereof, notwithstanding.

Shelburn-street to
cease to be a public
Highway, and
fenced off, in man-
ner herein men-
tioned.

Provided.
The site, soil, and
buildings, to be lia-
ble to the same
Taxes as other
lands and buildings
in the Town of St.
George.

Declared to be a public Act. And be it enacted by the Authority aforesaid, That this Act shall be deemed and taken to be a public Act ; and all Judges, and Justices, and Jurors, are to take Notice of it accordingly.



No. XXXVI.

An Act for Recording all the Laws that have passed the Legislature of this Government, since the Eighteenth Day of July, One Thousand Eight Hundred and Five, and all the Laws hereafter to be passed, and also, all the Proclamations hereafter to be made and issued in manner therein directed. [September 16, 1807.]

WHEREAS, it has happened that some of the Acts of these Islands, being written upon Paper, have been worn and obliterated, and others have lost the Great Seal of the Colony, by which they are authenticated, by reason whereof their validity may become questionable; for remedy whereof,

Be it enacted, by His Excellency Frederick Maitland, Esquire, Governor and Commander-in-Chief of these His Majesty's Islands of Grenada and such of the Grenadines as lie to the Southward of Carriacou, including that Island: the Honorable the Members of His Majesty's Council, and the General Assembly of these Islands; And it is hereby enacted, by the authority of the same, that all and every the Acts of these Islands, made and passed since the Eighteenth Day of July, one Thousand Eight Hundred and Five, when His Majesty's present Governor, Major-General Maitland, assumed the Government thereof, and all others hereafter to be made and passed, shall be fairly entered and recorded in the Secretary's Office, in a Book to be from time to time provided and kept for that purpose only, within one Month after the publication thereof respectively, under the penalty of One Hundred Pounds on any Secretary, or his lawful Deputy, for every neglect or refusal so to do.

And be it further enacted, by the Authority aforesaid, That the Entry and Record of each and every of the said Acts made and passed since the Eighteenth Day of July, in the said year One Thousand Eight Hundred and Five, and all further Acts, *shall be forthwith carefully examined and compared with the original thereof, under the Great Seal of the Colony, by the President of His Majesty's Council, the Speaker of the Assembly, and the said Secretary, or his lawful Deputy; and being by them, and every of them, duly certified in the said Book, to be correct and true,** shall be deemed and taken to be as valid as the original Act, and shall be pleadable, and given and received as Evidence in all Courts and Places whatsoever in these Islands; and the Secretary, for such Entry and Record, of every Act, shall have and receive from the Treasurer the sum of Eighteen Pence for every One Hundred Words: Provided always, that in the case of a private Act, the expense of entering and recording the same, shall be borne and defrayed by the Party or Parties interested in and procuring the same: Provided always, that the Books in which the said Acts are to be entered and recorded, shall be provided by the President of His Majesty's Council, and the Speaker of the Assembly for the time being, and paid for at the public Expense by the Treasurer of these Islands.

And be it further enacted, That all Proclamations hereafter to be made and published, shall also be entered in a separate Book, to be kept for that purpose, in like manner as is directed with respect to the public Acts.

And be it further enacted, and declared, That this Act shall be taken and deemed to be a public Act, and shall be noticed as such by all Judges, Justices, and others whom it may concern.

Preamble.

Clause I.
All Acts of this Island passed since the 18th July, 1805, and all to be hereafter made, to be entered and recorded in the Secretary's Office, in a Book for that purpose, within one month after publication, under a penalty of £100 for each neglect of the Secretary.

Clause II.

Such entries to be compared with the originals, under the Great Seal, &c., when certified in the said Book, by the President, Speaker, and Secretary, to be correct, to be as valid as the originals, and to be received as evidence in all Courts.

The Secretary to receive 1s. 6d. for every hundred words.†

Proviso.

The expenses of a private Act to be paid by the parties thereto.

The book to contain the Acts, to be found by the President and Speaker at the public expense.

Clause III.

Proclamations to be entered in a separate book.

Clause IV.

Declaring this Act a public Act.

* Repealed by Act, No. 49.

† Vide Act, No. 87, Clause 3.

No. XXXVII.

Vide Acts,
Nos. 42.
54.
55.
62.
71.
77.
100.
169.
186.

An Act to Repeal "An Act for providing a Support for the Clergy of these Islands;" "An Act to supply the Defects of former Parish Registers, to compel the due and orderly Keeping thereof in future, to prevent the Celebration of Marriage otherwise than is therein directed, and to prescribe how Persons professing the Roman Catholic Religion may have their Baptisms, Marriages, and Burials, duly entered in the Parish Registers of the established Church;" and "An Act to amend so much of an Act entitled An Act for providing a Support for the Clergy of these Islands, as relates to the Town and Parish of St. George," and to provide a Support for the Clergy of this Government, and other purposes. (*December 11, 1807.*)

Preamble.

WHEREAS it has been deemed advisable to incorporate into one Act, an Act entitled "An Act for providing a Support for the Clergy of these Islands;" an Act entitled "An Act to supply the Defects of former Parish Registers, to compel the due and orderly Keeping thereof in future, to prevent the Celebration of Marriages otherwise than as therein directed, and to prescribe how Persons professing the Roman Catholic Religion may have their Baptisms, Marriages, and Burials, duly entered in the Parish Registers of the established Church;" and "An Act entitled An Act to amend so much of an Act entitled an Act for providing a Support for the Clergy of these Islands, as relates to the Town and Parish of Saint George," and for that purpose it has been judged convenient to repeal the said Acts, and to comprehend the several matters and things therein contained in this present Act,

Clause I.
Repeals the Clergy
Act of 17th March,
1783; also, the Act
of 21st October,
1785; also the Act
of 3rd July, 1786.

May it please His Most Excellent Majesty, That it may be enacted by His Honor John Harvey, Esquire, President of His Majesty's Council and Commander-in-Chief in and over the said Island of Grenada and the Grenadines; the Members of His Majesty's Council, and the Representatives of the People, in General Assembly convened: Be it, and it is hereby enacted, by the Authority of the same, That from and immediately after the Publication of this Act, the said several Acts above mentioned, and every clause, matter and thing, therein contained, shall be, and the same are hereby severally repealed, made void, and declared to be no longer of any force or effect whatever.

Clause II.
The Island divided
into two Benefices,
the first to consist of
the Parishes of St.
George, Saint John,
and Saint Mark;
the Rector to reside
in the Town of St.
George:
Vide Acts, No. 42
and 54.

And be it further enacted, by the Authority aforesaid, That *the said Island of Grenada, instead of being divided into four Benefices, or Cures, shall, from the Publication of this Act, be divided into two Benefices, or Cures, for the said Island of Grenada, to comprehend the Parishes, and be distinguished and ascertained in manner following, that is to say, the first of the said two Benefices, or Cures, to comprehend the Parishes of St. George, St. John, and St. Mark, the Rector of which shall and is hereby required and enjoined to reside in the Town of St. George, and on the second Sunday of each and every Calendar Month, to perform Divine Service at the Parish Church in Charlotte-Town, for the Parishes of St. John and St. Mark, and the remaining Sundays in each and every Calendar Month to perform Divine Service in the Parish Church of the Town of St. George; and the second Benefice, or Cure, to comprehend the Parishes of St. Patrick, St. Andrew, and St. David, the Rector of which shall, and is hereby required and enjoined, to reside within the Parish of St. Andrew, and shall perform Divine Service, on the first Sunday of each and every Calendar Month, at some convenient place in the Parish of St. David; and on the third Sunday of each and every Calendar Month, at some convenient place in the Parish of St. Patrick, and the remaining Sundays in each and every Calendar Month at some convenient place in the Parish of St. Andrew; and that a person be appointed as Clerk and*

The second to consist of the Parishes of Saint Patrick, Saint Andrew, and Saint David; the Rector to reside in the Parish of Saint Andrew, and to perform Service in manner herein mentioned.

A Clerk and Sexton

Sexton to each Benefice, or Cure, and who are hereby required and enjoined to reside in such Parishes, as their respective Rectors are required and enjoined to reside ; and the Island of Carriacou shall form one other Benefice or Cure, under the charge of one other Minister, and a person to be appointed as Clerk and Sexton, to officiate every Sunday at the Church or place appointed for the public Worship in the Town of Hillsborough, and who shall reside in the Town of Hillsborough, who shall be respectively entitled to the Stipends, Salaries, and Fees hereinafter mentioned, that is to say, every such Clergyman already or hereafter to be inducted into any of the said Benefices or Cures, shall be entitled to and receive out of the Treasury of these Islands at the rate of Six Hundred and Sixty Pounds current money per annum, as a Stipend or Salary, during his or their residence, and also to the following Fees, to be paid and received in the manner hereinafter directed, that is to say, for the Baptism of every Person, baptized in the Church of his Cure, in the usual hours of Divine Service, the Sum of Eighteen Shillings current money ; for the Baptism of every Person by him to be baptized in any other place within his Cure, the Sum of One Pound Sixteen Shillings, and Six Shillings per mile over and above the said Sum of One Pound Sixteen Shillings ; for the solemnization of every Marriage by him performed within the Church of his Cure, and for the Publication of the Banns, the Sum of One Pound Sixteen Shillings ; for the solemnization of every Marriage by him performed by Licence of the Commander-in-Chief, or other Person having the command of these Islands, if performed in the Church of his said Cure, the Sum of One Pound Sixteen Shillings ; if at any other place within the Cure, the Sum of Three Pounds Six Shillings, and Six Shillings per Mile, over and above the Sum of Three Pounds Six Shillings ; for attending the Funeral and performing the Burial Service for every Person, who shall die within the limits of his said Cure, if with the Pall, the sum of Three Pounds Six Shillings ; if without the Pall, One Pound Sixteen Shillings, at the option of the Person applying for such Funeral Service, and Six Shillings per Mile, over and above the said sum of Three Pounds Six Shillings, and One Pound Sixteen Shillings, as the case may be ; for Registering every Baptism, Marriage, or Funeral, the sum of Three Shillings ; and for every Certificate of Baptism, Marriage, or Funeral, the sum of Nine Shillings ; which said Salaries and Fees shall be in lieu of all other Rights and Perquisites whatsoever ; and all and every of the said Salaries shall commence from the respective times of their several and respective Inductions, as aforesaid, and shall be payable at the end of every Six Calendar Months by the respective public Treasurers of these Islands, where the respective Cures shall be chargeable on the Funds hereinafter to be provided for that purpose ; and every Person hereafter to be appointed to the Office of Clerk and Sexton of the said Cures, shall be entitled to receive, out of the Treasury of these Islands, at the rate of One Hundred Pounds, Current Money, per Annum, during his residence, over and besides the following Fees, that is to say : for each Grave he shall make, or cause to be made, in the public Burying Ground of his Cure, allotted, or to be allotted, as aforesaid, wherein any Person shall be interred, the sum of Eighteen Shillings, the Grave not to be less than Four Feet deep ; for attending and assisting at the Burial Service of any such Person, if with the Pall, the sum of Eighteen Shillings, and if without, the sum of Nine Shillings, at the option of the Person demanding such Service ; for attending the Burial Service of any Person, who shall be buried out of the said Burying Ground, if thereto required, but not otherwise, the said sum of Eighteen Shillings, or Nine Shillings, as the case may be, and the further sum of Three Shillings per Mile, for his extra Trouble and Expense : and for the Certificate of any Baptism, Marriage, or Burial, when the same shall be required, the sum of Four Shillings and Sixpence ; such last-mentioned Salaries to commence from the Times of the respective

to be appointed to each Benefice.

Carriacou to form another Benefice ; a Rector and Clerk to be appointed to it ; to officiate as herein directed, and to reside at Hillsborough.

Each Clergyman to receive an annual Stipend of £660 currency.

Rector's Fees regulated.

Vide Act, No. 169.

The Salaries to commence from the time of Induction of Incumbent, and be payable at the end of every six months.

Clerk and Sexton to receive £100 currency per Annum.

Clerk and Sexton's Fees regulated.

Clerk and Sexton's

salaries to begin from the time of their appointments, and be payable every six months, on producing the Rector's Certificate thereof. The Rector of the Parishes of Saint David, St. Patrick, and St. Andrew, to be allowed £100 per Annum for a House, appointments of the several Persons who shall be appointed to act as Clerks and Sextons, as hereinafter mentioned, *and be payable by the public Treasurer of the Island where the Cure shall lie, at the end of every Six Calendar Months, from the time of such his appointment, upon producing such appointment, or a Certificate thereof, under the Hand of the Rector, for the time being, of the Cure to which he belongs.* And whereas, there being no Parsonage House attached, or belonging to, the aforesaid second Benefice, or Cure, composed of the Parishes of St. Patrick, St. David, St. Andrew, the Rector who shall be inducted into the said Living, and do the Duty thereof, shall be allowed the sum of One Hundred Pounds per Annum, to provide himself with a Dwelling House.

Clause III.

Repealed by No. XLII.

Clause IV.

Fees to be recovered before any Justice of the Peace residing in the Cure where they accrued, who is to issue a summons to persons to pay the same, and, on examination on oath, to order payment within 14 days after complaint made, and to issue his Warrant to the Provost-Marshal to seize Goods of Persons refusing to pay the same.

And be it enacted by the Authority aforesaid, that the several Fees established by this Act shall be recovered before any Justice of the Peace residing within the Cure where the same accrued, upon Complaint made to him for that purpose; and such Justice, upon every such Complaint, shall issue his Summons, to call before him any Person or Persons who shall refuse or neglect to pay such Fees, and upon their due Examination upon Oath, which said Justice is hereby authorised and empowered to administer, to order the said Person or Persons, so refusing or neglecting to pay such Fees, to pay the same within Fourteen Days after such Complaint is made; and if such Order be contemned or neglected, such Justice shall and may issue forth his Warrant, in the nature of an Execution, directed to the Provost-Marshal of the said Island of Grenada, or his lawful Deputy, to seize upon the Goods and Chattels of all such Person or Persons, as so refuse, and them to sell as in Cases of Execution in Common Law; and no other higher Fee or Fees than those hereby established, shall be exacted or demanded by any of the aforesaid Rectors, or Persons acting as Clerk and Sexton, on any pretence whatsoever.

Clauses V. VI. VII. and VIII. enact rates and taxes which have since expired.

Preamble.

And whereas it is just and reasonable that a Provision be made for the annual payment of the sums hereinbefore specified, in the event of the said Rate and Tax proving insufficient in any one Year for that purpose,

Clause IX.

If the Taxes be not sufficient in any year for payment of the said Stipends, the Treasurer to pay the deficiency out of unappropriated monies.

Be it therefore enacted, by the Authority aforesaid, That in case the Rates and Taxes hereby imposed shall not, in each and every Year, produce a sufficient sum for the Payment of the aforesaid Stipends and Salaries, then, and as often as it shall so happen, it shall and may be lawful for the Treasurer of these Islands, and he is hereby authorised to pay the full Amount of such Deficiency out of any unappropriated Monies then in his Hands, or that may hereafter come into his Hands.

Preamble.

And whereas, certain expenses may be necessarily incurred in the different Benefices or Cures, for the reparation of Churches, and for other purposes,

Clause X.

Expenses of reparation of Churches to be regulated by Magistrates and Rector, and to be paid out of public Treasury. Treasurer to pay sums certified by Warrant from Magistrates and Rector.

Proviso. Expenses not to exceed £100 in any one year. Vide Act, No. 42, Clause 5.

Be it further enacted, by the Authority aforesaid, That all such expenses be regulated and determined by the Magistrates, being Protestants, within each respective Benefice or Cure, and the Rector thereof, or a majority of them, and be paid out of the public Treasury of this Island; and the Treasurer is hereby authorized and directed to pay all such sums, so to be incurred, as shall be certified by a Warrant under the Hands and Seals of the Magistrates and Rector of the respective Benefices or Cures, or a Majority of them, as aforesaid, out of any unappropriated public Monies that shall be in his Hands at the Time or Times when payment shall be demanded, by virtue of such Warrant or Warrants as aforesaid: Provided always, That such expenses do not exceed, in any one Year, for each Benefice or Cure, the sum of One Hundred Pounds Current Money.

Clauses XI. to XVI., both inclusive, repealed by Act No. CXIX. Clause VIII.

Clause XVII.

Commander-in-Chief to appoint an

And be it further enacted, by the Authority aforesaid, That the Commander-in-Chief for the time being of the said Island of Grenada and its

Dependencies, shall be, and is hereby authorised and empowered to nominate and appoint an Organist for the said Church, who shall be entitled from and after such nomination and appointment, to receive the annual Salary *hereinbefore specified*,* upon production to the said Treasurer for the time being of such Warrant as is hereinafter mentioned.

And be it enacted, by the Authority aforesaid, That when, and as often as, any Repairs, Alterations, Additions, or Improvements of, or to the said Church, or of, or to the Organ, now belonging or hereafter to belong thereto, shall be necessary, the Rector for the time, of the said Town and Parish of St. George, shall by public Advertisements require such of the Members of His Majesty's Council of this Island, as do, or shall reside within the said Town and Parish of St. George, and such of the Members of the General Assembly of the said Island of Grenada and its Dependencies, as are, or shall be Representatives for the said Town and Parish of St. George, to meet him on a particular Day and Hour to be named in the Advertisement, at the Church of the said Town, to deliberate upon the necessary Repairs, Alterations, Additions, or Improvements, to be made of, or to the said Church, or of, or to the Organ, now belonging, or hereafter to belong thereto, and the said Members of Council, and Representatives, or any five of them, and the said Rector, being met, shall have power to direct all Repairs, Alterations, Additions, or Improvements, of, or to the said Church and Organ, and to contract for the same, or fencing and inclosing the Church-yard, or Burying-ground, and to grant Certificates to the Persons performing such Contracts, to entitle them to Payment as hereinbefore directed.

And be it enacted, by the Authority aforesaid, That the now acting Organist of the said Church, and every Organist of the same, hereafter to be nominated and appointed as aforesaid, upon presenting to the Commander-in-Chief for the time being, of the said Island and its Dependencies, a Certificate signed by the said Rector, the said Members of Council, and the said Representatives, or any five of them, of the time during which such Organist hath done, or hereafter may do, his Duty as Organist of the said Church, shall be entitled to receive a Warrant from such Commander-in-Chief, authorising the said Treasurer to pay such Organist such sum as may be due to him for such a time, at the Rate aforesaid, and in like manner that every Person performing and executing, or causing to be performed and executed, any Repairs, Alterations, Additions, or Improvements, of or to the said Church, or of, or to the Organ, now belonging, or hereafter to belong, thereto, or any Fence or Inclosure of the said Church-yard or Burying-ground, or keeping the Church and Church-yard clean, shall, upon presenting to the said Commander-in-Chief a Certificate signed by the said Rector, the said Members of Council, and the said Representatives, or any five of them, of the due and proper Performance and Execution of such Work, Business or Employment before mentioned, and of the sum or sums of Money due for the same, respectively, be entitled to receive a Warrant from such Commander-in-Chief, authorising the said Treasurer to pay every such Person every such sum so to be certified to be due to him as aforesaid.

And be it also enacted, by the Authority aforesaid, That every payment to be made under or by virtue of this Act, shall be by Warrant from the Commander-in-Chief for the time being, of the said Island of Grenada and its Dependencies, addressed to the Treasurer of the said Island of Grenada, who is hereby authorised and required to pay the full amount of every such Warrant, according to the time of presenting the same, out of the first of such Assessments, Taxes, and other Monies hereby directed to be levied in the said Town of St. George, as by him shall be collected and received under or by virtue of this Act.

Organist, who shall be entitled to receive an annual salary, on producing of such warrant as hereafter mentioned.

Vide Act, No. 148.

Clause XVIII.

When repairs of the Church and Organ are necessary, the Rector to require the Members of Council and Assembly residing in the Parish of Saint George, to consider of the same, who are authorised to contract for the same.

Clause XIX.

Organist, on presenting to Commander-in-Chief, a certificate, signed by the Rector, Council and Assembly, or any five of them, of the time of his service, to be entitled to a Warrant from the Commander-in-Chief, to the Treasurer, for payment of his salary.

The like provision for persons repairing the Church, &c.

Clause XX.

Payments to be made by virtue of this Act, to be by Warrant from Commander-in-Chief, to the Treasurer.

* In Clause 16. repealed as above.

Preamble.

And whereas, many inconveniences and much injury and prejudice may accrue to the Inhabitants of this Island, unless Parish Registers of Baptisms, Marriages, and Burials, are regularly kept; and whereas, now that Protestant Ministers are established in the several Cures of these Islands, within this Government, it is highly expedient that the Rectors should be obliged by Law, to keep proper Parish Registers, and that the same should be regulated in such a manner as in future to become public and authentic Records, for preserving the Evidence of all such Baptisms, Marriages, and Burials, and to render the Proof thereof more certain and easy,

Clause XXI.

Rectors to provide a book for a Parish Register, within 15 days, for their respective Cures, in which all baptisms, marriages, and burials, according to the rites of the Church of England, shall be registered.

Be it therefore enacted and ordained, by the Authority aforesaid, That within fifteen Days, next after the publication of this Act, every Rector of a Cure, within this Government, who hath not already in use a proper and sufficient Book for the purpose, shall provide one proper and sufficient bound Book of good, substantial, and durable Paper, as, and for the Parish Register of his respective Cure, in which Book, already in use, or so to be provided, all Baptisms, Marriages, and Burials, which shall be solemnized or performed, according to the Rites of the Church of England, in the said Cures respectively, shall be truly set down and registered, in a clean, fair, and distinct manner, in writing, so as to exhibit and specify the Day, Month, and Year, when each Baptism, Marriage, and Burial, was solemnized, with the Names and Additions of the Party or Parties so Baptized, Married, or Buried, respectively.

Preamble.

And in order to identify every such Book, either already in use as a Parish Register, or at any time hereafter to be provided for that purpose, and to prevent all Abuses, Eraselements, undue Entries, or Destructions of Leaves in the said Register,

Clause XXII.

Rectors, within a month, to produce such book before two Justices of the Peace—the pages to be numbered.

Be it enacted by the Authority aforesaid, That each respective Rector shall, within One Month after the publication of this Act, produce the Book so already in use, or provided and intended to be used, for his Parish Register, before any two or more Justices of the Peace, and shall then, if not already done, cause every page of the said Book to be distinctly and regularly marked at the top with the Figure of the Number of every such page, and if such Book shall then contain any Entries of Baptisms, Marriages, or Burials, the said Rector shall in like manner cause each and every separate Entry, whether of Baptism, Marriages, or Burial, to be numbered in the Margin thereof, in course and order as they stand, beginning with the Figure of One, and continuing successively down to the last Entry which shall happen to be in the said Book; and the said Justices, or one of them, to whom the said Book shall be produced and exhibited by the Rector,

Entries of baptisms, &c., to be numbered.

The said Justices to write on the cover a certificate of the contents of it. Form of the certificate.

shall, after examining the same, write, or cause to be written, in the inside of the cover thereof, a true Certificate of the state and contents thereof, in Form, or to the effect, following (as the fact shall be), that is, "This Book was exhibited to Us, the undersigned, on the Day of in the Year of our Lord One Thousand Eight Hundred and by the Reverend A B, Rector of the Parish of C, (or of the Parishes of C and D), as and for the Parish Register now in use (or now provided to be used), for his said Cure; and We do certify, that the said Book is duly and regularly paged, the pages thereof marked with Figures, in order from Number One to Number (specifying the highest number), which is the last page of the same, and on the Day abovementioned, the said Book contained Entries of Baptisms, Marriages, and Burials, in the first pages thereof (specifying the Number of pages in which entries appear to have been made), and the said Entries are regularly and successively numbered by Figures from Number One to Number (specifying the Number of the last Entry therein)," or if there be no such Entries then in the Book, the Certificate shall express the same accordingly; which Certificate shall be signed by the said Justices, and also by the Rector producing the same; and whenever any such Book shall be filled with Writing, or otherwise become unfit for receiving further Entries therein, the Rector of the Cure for

If there be no entries in the said book, the certificate to express the same. The certificate to be signed by Justices and Rector.

the time being, shall within two Days next after, provide a new Book of the like sort, and produce the same within ten Days, and procure a like Certificate to be made therein, as is hereinbefore directed to be done for the Parish Registers now in use, or hereby directed to be first provided; and if any of the said Cures shall happen to be without a Rector at the time of the publication of this Act, the Rector who shall be first afterwards appointed to the said Cure, shall, and he is hereby required, to do and perform all the several matters and things hereinbefore directed to be done by the Rectors of Cures already appointed; only computing the times for doing the same from his induction to such vacant Cure, instead of computing from the publication of this Act; and all Books so provided for Parish Registers, as aforesaid, shall be deemed to belong to every such Cure respectively, and shall be delivered to, and carefully kept by the Rector and Clerk thereof for the time being, and preserved for public use.

When the book is filled with entries, the Rector shall provide a new one, and produce it to said Justices, and procure a like certificate.

Register book to belong to each Cure, and be kept by Rector and Clerk for public use.

And be it enacted, by the Authority aforesaid, That every Entry thereafter to be made in any such Parish Register, shall be regularly and successively numbered by a Figure in the Margin, beginning from the number (if any) already marked in the last preceding Entry, or from number One, if there be no Entry already made therein, and continuing in orderly arithmetical succession; and that every such Entry shall be signed by the Rector or Minister who shall perform the service of Baptism, Marriage, or Burial, so registered (whether he shall happen to be the Rector of the Cure, or only officiating on that occasion), and attested by the Clerk of the same Cure, or, in case of his absence, by some one Person at least, who was present at the performing of the said service. And to prevent Rectors and Justices being ignorant of the Duty required of them by this Act, Be it enacted, by the Authority aforesaid, That within Eight Days after the Publication of this Act, the Secretary shall transcribe and deliver, or cause to be delivered, to each and every of the Rectors having Cures at the time, a separate copy of the three Clauses of this Act immediately preceding, which copy each of the said Rectors shall produce and exhibit to the Justices, at the time of producing the Register Book to be certified, and if any of the said Cures shall be then vacant, the Secretary shall, in like manner, within Eight Days after the Induction of the first Rector to such Cure, transcribe and deliver, or cause to be delivered, to such newly inducted Rector, a like copy of the same three Clauses, which copy such last mentioned Rector shall also produce and exhibit, as above directed, for the making and delivering of which copies, the Secretary shall be allowed in his public Accounts.

Clause XXIII. Entries to be numbered, Vide Act, No. 71.

and signed by the Rector performing the service of baptism, &c., and attested by the Clerk.

The Secretary to deliver a copy of the three preceding Clauses of this Act to each Rector, who is to produce the same to the Justices to be certified.

And whereas it may sometimes happen, that a Body must be interred without the presence of a Minister to perform the Funeral Service; and it is nevertheless expedient, that such Burials should be registered,

Preamble.

Be it enacted by the Authority aforesaid, That when any Person hath been so buried, and that a Rector cannot make Entry thereof in the Register, as of other Burials performed by him, it shall or may be lawful for the Clerk, or Sexton, of the Cure, where such Burial was made, if he shall have been present thereat, or in case of his absence, it shall be lawful for any one or more known and respectable Inhabitant or Inhabitants of the Island, who knew the Deceased, and who was, or were present at his or her Funeral, to make Affidavit, in Writing, within One Month next after such Burial, before the Rector of the same Cure (or if there should happen to be no Rector of that Cure at that time, then before the Rector of any adjoining Cure), who are hereby respectively authorized and required to administer the Oath to the Deponent or Deponents named in the said Affidavit, to the Effect following, to wit, that he, she, or they, personally knew A B, of the Parish of C, in this Island, lately deceased, and that he, she, or they (the Deponent or Deponents), was or were present at the Interment of the Body of the said A B, and that he was buried on the Day of last past, which Affidavit being signed and sworn by the Party

Clause XXIV. If any Person be interred without the presence of a Minister, the Clerk or Sexton of the Cure, or, if absent, a person present at the Funeral, within a Month thereafter, to make Affidavit thereof.

Form of Affidavit.

or Parties therein named, shall be attested by the said Rector, and shall be truly copied by him in the Parish Register of the Cure, within which the Interment was had, and there numbered as an Entry in other Cases, and signed by the Rector, and the same shall from thenceforth be as valid and effectual as if the said Rector himself had performed the Burial Service over the Person so sworn to be interred, and for every such Affidavit and Entry the Rector shall be entitled to receive, and is hereby authorized to demand and receive the same Fee or Fees, as he would have been entitled to in case he had performed such Funeral Service in the Burial Ground of his Cure, and entered the same in the Register in the usual manner.

Preamble.

And in order to make some Provision for preserving the Evidence of former Baptisms, Marriages, and Burials, which have not yet been entered in any Register, or other Book of Authority (if in case such Evidence shall be thought likely to be important),

Clause XXV.

Regulations to preserve the Evidence of Baptisms, &c., not entered in any Parish Register, by Affidavit of Witnesses.

Be it enacted by the Authority aforesaid, That the time and place of the Baptism, Marriage, or Burial, of any Person heretofore baptized, married, or buried, in this Government, according to the Rites of the Established Church, shall and may be proved by an Affidavit in Writing, to be made on Oath, by one or more credible Witness or Witnesses before the Commander-in-Chief for the time of these Islands, so as such Witness or Witnesses shall depose that he, she, or they, was or were actually present at such Baptism, Marriage, or Burial, and personally knew the Party or Parties baptized, married, or buried, and that the Deponent or Deponents can speak with certainty to the Day, Month, and Year, when, and the place where, the same happened, which Affidavit being signed and sworn to, by the Deponent, and attested, shall and may be produced and delivered to the Rector of the Cure within the limits of which such Baptism, Marriage, or Burial, happened, who shall thereupon, and he is hereby enjoined and required forthwith to copy the same into the Parish Register as an Entry of such Baptism, Marriage, or Burial, in like manner, and in all respects, and with the like right to his Fees, for doing the same, as is herein-before directed and provided in the case of Affidavits to be made of Bodies interred without the presence of a Minister, and every Affidavit so duly entered in the Parish Register, shall be deemed and is hereby declared to be a Register of the particular Baptism, Marriage, or Burial, therein deposed to, and to bear, good evidence thereof, as if such Baptism, Marriage, or Burial, had been duly entered in a proper Parish Register, kept at the time when the same happened; Provided always, that every such Affidavit, in order to entitle it to be so entered in the Parish Register, shall be made and delivered to the Rector within twelve Calendar Months next after the Publication of this Act, and not afterwards.

Proviso.

That such Affidavit be delivered to the Rector within 12 months after Publication of this Act.

Clause XXVI.

Wilful Perjury in any Affidavit punishable in like manner as Perjury in a Court of Record.

Clause XXVII.

Such Parish Registers to be the only authentic Registers of Baptisms, &c., solemnized since 6th of January 1784, and which may be hereafter solemnized.—Copies therefrom to be good Evidence.

And be it enacted by the Authority aforesaid, That wilful Perjury in any Affidavit to be made in pursuance of this Act, shall and may be punished in the same manner as wilful Perjury in any Court of Record is punishable by any Law or Laws in force within this Island.

And be it further enacted, by the Authority aforesaid, That the said Parish Registers be kept by the Rectors and Clerks of the established Churches, shall henceforth be deemed the only authentic and public Registers for the proof of all Baptisms, Marriages, and Burials, which have been solemnized since the Sixth Day of January One Thousand Seven Hundred and Eighty-four, or which shall be hereafter solemnized, and that copies therefrom, duly examined and attested under the hands of the Rector and Clerk of the Cure for the time being, or (in case of the vacancy of the Cure) under the hand of the Clerk only, and of the Witness appearing and proving such copy to have been by him compared with the original, shall and may be received in all Courts of Justice as evidence of every Baptism, Marriage, and Burial, there entered, whether the same be registered in due course by the Minister performing the same, or upon Affidavit copied there-in, under the Provisions of this Act

And whereas doubts might arise, how far the Registers kept by the Roman Catholic Priests in this Government, during the existence of the English Laws, ought to be recognized or received, as making evidence of the Baptisms, Marriages, and Burials; And whereas it is reasonable on the one hand, that Credit should be given to those Registers until the Twenty-first Day of October One Thousand Seven Hundred and Eighty-five, when other Provision was made, for enabling the Romish Baptisms, Marriages, and Burials, to be put on our Registers; and on the other hand it is expedient to prevent all possibility of these Registers being hereafter falsified; And whereas the Catholic Registers, during the period of the last French Government, are already lodged in the Register's Office, and true, fair and perfect Copies of so much of each and every of the said Registers respectively, as is contained between the Thirty-first Day of December One Thousand Seven Hundred and Sixty-four, and the Fourth Day of July One Thousand Seven Hundred and Seventy-nine, and between the Sixth Day of January One Thousand Seven Hundred and Eighty-four, and the Twenty-first Day of October One Thousand Seven Hundred and Eighty-five have been proved by Affidavit, in Writing, to be just, true, and perfect Copies of such respective Registers, and are also lodged in the Register's Office, and have been duly certified under the hands of the Commander-in-Chief as sworn to before him;

Be it therefore enacted, by the Authority aforesaid, That such Copies shall be considered as a Record, and Extracts to be taken therefrom and duly certified by the Register or Deputy Register, for the time being, shall and may be received in all Courts of Justice, as certified Copies from Parish Registers are herein-before directed to be received; Provided always, that nothing herein contained shall extend or be construed to extend to weaken or destroy the proof of any Baptism, Marriage, or Burial taken from the French Registers, and which was entered therein prior to the Thirty-first Day of December One Thousand Seven Hundred and Sixty-four; but that such Registers, and all Copies taken therefrom, shall continue to be of the same force and authenticity, as they would have been if this [Act] had never been made.

etc., from French Registers prior to 31st

And be it, and it is hereby enacted and ordained by the Authority aforesaid, That if any Rector now having a Cure within this Government, or any Rector hereafter to be nominated to any such Cure, shall neglect or omit to provide such Book for a Parish Register, or to produce the same to the Justices, or cause the same to be duly paged and numbered, and the Entries therein (if any) to be also numbered, or to apply for a Certificate thereon, in such manner and within the period herein-before respectively for these purposes limited; or if any Justice, so applied to, shall refuse or neglect to examine any such Parish Register, and to sign the Certificate thereon, as prescribed by this Act; or if any Rector or Minister shall omit or neglect, by the space of three Days next after the solemnization by him to be made of any Baptism, Marriage, or Burial, or next after the producing and delivering to him an Affidavit made in pursuance of this Act (as the case may be) duly to enter and sign the Register of the Baptism, Marriage, or Burial, so solemnized or deposed to by Affidavit; or if he shall refuse to receive any such Affidavit; or if any such Rector or Clerk shall refuse to permit another Minister to enter in the Register any Baptism, Marriage, or Burial, by him occasionally performed within that Cure; or shall refuse, upon reasonable request and tender of lawful Fees, to search his said Register; or shall refuse a sight and examination thereof to the party to requiring the same: or shall refuse or neglect to grant and attest a proper copy of any Entry of a Baptism, Marriage, or Burial, to the party demanding such certified Copy; every such Rector, Justice, Minister, or Clerk, therein respectively offending, shall, upon conviction, forfeit and pay for every such Offence, the Sum of Twenty Pounds Current Money, to be paid for, recovered, and applied, in manner herein-after directed.

Preamble.

Clause XXVIII.
Copies of certain parts of Registers of Roman Catholic Baptisms, &c., certified by the Commander-in-Chief as herein directed, to be deemed Records. Extracts therefrom, certified by the Register, to be received in Courts of Justice, in like manner as Parish Registers. Proviso.
Not to weaken the proof of Baptisms, &c., from French Registers prior to 31st December, 1764.

Clause XXIX.
Rectors omitting to provide Books for Parish Registers, or to produce them to Justices, or to number and page them, and Justices refusing to examine them, &c., or Rectors omitting three days after Solemnization of any Baptism, &c., to enter the same, or if he, or Clerk, prevent another Minister to enter Baptisms, &c., occasionally performed by him, or to search Register, on Tender of Fees, or attest a Copy therefrom, to forfeit £20 for each offence.

Clause XXX.

Rectors, Ministers, Justices, or Clerks who shall make false Entries in, or grant false Copies from, the Parish Registers, and Persons stealing, destroying or disfiguring, or erasing Parish Registers, to suffer death.

And if any Rector, Minister, Justice, or Clerk, by this Act authorized to make or attest Entries in such Parish Registers, or to sign the Certificates therein, or to attest Copies therefrom, shall knowingly and willingly insert, or cause to be inserted, in any such Register Book, or in any such Certificate, or in any attested Copy as extracted from any such Register, any false Entry, or any false Matter or Thing, relating to the said Register Book, or to any Baptism, Marriage, or Burial, therein mentioned; or shall falsely make, alter, forge, or counterfeit, or cause, or procure to be falsely made, altered, forged, or counterfeited, any Register, or any Entry or Certificate therein, or Copy therefrom, or shall alter or publish as true, any such false, altered, forged, or counterfeited Entry, Register, Certificate, or Copy, knowing the same respectively, to be false, altered, forged, or counterfeited; or if any Person shall wilfully steal, destroy, or make away with, or cause, or procure to be stolen, destroyed, or made away with, any such Parish Register, or tear out, disfigure, or erase, any Leaf or Leaves therein, or any part thereof, or the Certificate therein signed, with intent to injure, or defraud, any Person or Persons whomsoever; every Person so offending, and being thereof lawfully convicted, shall be deemed and adjudged guilty of Felony, and shall suffer Death as a Felon, without Benefit of Clergy.

Preamble.

And whereas, it hath been found expedient in all civilized Communities, to subject Matrimony to certain restrictions, as well in order to prevent improper and clandestine Marriages, as to render the proof of Marriages more certain and easy; and whereas, in this Colony a large number of the Inhabitants (being allowed the exercise of the Roman Catholic Religion) perform the Ceremonies of Baptism, Marriage, and Burial, according to their own modes of Worship; and the Romish Clergy have presumed to marry persons without any Licence, or other authority, of our Government, by reason whereof some peculiar Regulations are expedient, as well to preserve the respect due to the established Religion of the Country, as to induce those of different persuasion to cause their Baptisms, Marriages, and Burials, to be registered in such Books as are recognized by our Law, and thereby to preserve the Evidence thereof as a Security for the Rights of Persons which may be affected thereby;

Clause XXXI.

No marriage of persons solemnized within the Islands of this Government, except by the Rector of any Cure therein, after publication of banns, or licence from the Commander-in-Chief, to be valid, and the person performing and assisting at such ceremony, and the parties so taking each other as married, to forfeit £100 each. Vide Acta, No. 62, 77, and 100.

Be it enacted by the Authority aforesaid, That from and after the Publication of this Act, no Marriage of any Person shall be performed and solemnized within the Islands of this Government, except by the Rector of one of the Cures therein, and this either after due Publication by the Banns, according to the Rubric of the Church of England, made in the Church or usual place of public Worship of the Parish in which the Woman to be Married shall then reside, or else by virtue of a Licence in the Form heretofore usually granted by the Governor or Commander-in-Chief for the time being; and all Marriages which shall be performed otherwise than after due Publication of Banns, or under Licence, as aforesaid, shall be, and the same are hereby declared to be null and void, to all intents and purposes whatsoever; and the Rector, Minister, Clerk, or other Person performing, or assisting at, any such Marriage Ceremony, and the Party or Parties so taking each other as married, otherwise than as herein-before directed and allowed, shall each and every of them forfeit and pay the sum of One Hundred Pounds Current Money of Grenada, to be sued for, recovered, and applied, as herein-before directed; Provided always, nevertheless, that it shall and may be lawful for Persons professing the Roman Catholic Religion, to have the Ceremony of their Marriage performed by their own Clergy, according to the Rites of their own Church, without any of them incurring, or being subject to the said Penalty, so as that such Marriages of themselves be deemed, and the same are hereby declared to be of no Force or Effect, as to giving a Right of dower, inheritance, or any other Rights derived from a legal Marriage; but that to entitle the Parties to those Rights, they must also conform as other Subjects to the several Restrictions herein-before imposed on the Celebration of Matrimony.

Proviso.

Persons of Roman Catholic Religion may be married according to the rites of their Church, without being subject to the penalty; but such marriage not to be deemed legal.

And be it further enacted by the Authority aforesaid, That it shall and may be lawful for any Person or Persons desirous of entering in the Parish Registers of the Established Church, any Burial or Baptism hereafter to be performed, according to the Rites of the Church of Rome, to make Affidavit thereof before the Rector of the Cure within which the same were performed, within One Month next after any such Baptism, or Burial, respectively, in such manner as is hereinbefore directed for Affidavits of Burials made within the presence of a Minister; and every such Affidavit of a Romish Baptism, or Burial, hereafter to be solemnized, shall be sufficient Evidence thereof, and shall be received, copied, and entered, by the respective Rectors within the same times, in the same manner, for the like Fees, and under the like Penalties, in all respects, for neglect or refusal on their part, as are herein-before prescribed and inflicted in case of other Affidavits.

Clause XXXII.
Persons may enter baptisms, &c., performed according to the rites of the Church of Rome, on making affidavit as herein directed.

And be it enacted, by the Authority aforesaid, That all Penalties and Forfeitures imposed by this Act, shall and may be sued for in the joint Names of the Person informing and prosecuting the same, and of the Treasurer of the Island for the time being, and shall and may be recovered, with full Costs of Suit, by Action of Debt, Bill, Plaint, or Information in the Supreme Court of Judicature, held, or to be held, for these Islands, wherein no Essoin, Protection, or Wager of Law, or more than one Imparlance, shall be allowed; and such Penalties and Forfeitures shall, when recovered, be paid and applied as follows, to wit: One Moiety thereof to the proper use of the Person informing and prosecuting for the same, and the other Moiety to the Treasurer for the time being, or his lawful Deputy, for the public uses of this Island; Provided always, that no Person shall be liable to any Forfeiture or Penalty by this Act laid or imposed, unless Prosecution be commenced within two Years after such Forfeiture or Penalty shall be incurred,

Clause XXXIII.
Penalties to be sued for by Informer and Treasurer, one half to be paid to Informer, the other to the Treasurer.

Proviso.
To be sued for within two years after penalty incurred.

Clause XXXIV.

Clause XXXV.
Declaring this to be a public Act.

Repealed by No. XLII.

And lastly, Be it enacted by the Authority aforesaid, that this Act shall be, and is hereby declared to be a public Act; and all Judges, Justices, and others, shall judicially take notice thereof as such.

No. XXXVIII.

An Act to make the printed Collection of the Laws of Grenada, lately published by the Chief Justice of this Colony, legal Evidence in all Courts within these Islands. [March 15, 1809].

WHEREAS, the Chief Justice of this Colony hath lately published a printed Collection of the Laws of Grenada, which he was enabled to compare with the Records of the Public Offices in England, and the Work has been executed by him under circumstances peculiarly favourable to its accuracy and completeness; And whereas, nothing can be more conducive to the good order of Society, than that the Laws should be ascertained and known, and that every Individual may have Access to those Rules by which they are bound to regulate their conduct.

Preamble.

Be it therefore enacted and ordained by His Honor Abraham Charles Adee, Esquire, President and Commander-in-Chief for the time being in and over the Island of Grenada and the Grenadines, to the Southward of Carriacou, including that Island; the Honorable the Members of His Majesty's Council, and the General Assembly of the same, that from and after the passing of this Act, the printed Collection of the Laws lately published in London by the Chief Justice of this Colony, and entitled "The Laws of Grenada, from the Year 1763 to the Year 1805," shall be, and shall be received in all Courts, and by all Judges within these Islands, as good and sufficient legal Evidence, both of the existence and contents of all Laws included in that Collection, to all intents and purposes whatsoever,

The printed collection of the Laws of Grenada, from 1763 in 1805, published in London, by Chief Justice Smith, to be received in all Courts as good Evidence.

as if the original Record of such Laws, under the Great Seal of these Islands, had been produced and read.

Declared to be a public Act.

And be it further enacted by the Authority aforesaid, That this Act shall be deemed and taken as a public Act, and noticed as such by all Judges, Justices, and others, within these Islands.

No. XXXIX.

Vide Acts,
No. 9.
19.
22.
40.
69.
98.

An Act for raising a Tonnage Duty on all Ships and Vessels coming into and using the Harbour of Saint George, for the purpose of cleaning out and restoring the Depth of the same, when it hath become shoaled ; and keeping clean and preserving such Depth of it in future, under direction of the Commissioners for the time being of that Harbour. [November 6, 1809.]

Preamble.

WHEREAS, it is indispensably necessary to the welfare of these Islands in general, and to the Commercial Interest in particular, that the Harbour of the Carenage of Saint George should be always kept clean, and the depth of the Water in it every where preserved ;

And whereas, the same hath of late Years become in many places greatly shoaled and filled up, and is daily becoming more so, and cannot be now cleared out, and the depth restored, and afterwards preserved, without considerable expense, which it is necessary to make Provision for the Payment of, and just and right that the same should fall on the Owners and Masters of Vessels using and having the Benefit of the same ; We, therefore, Your Majesty's most dutiful Subjects, the President and Commander-in-Chief of the Island of Grenada and the Grenadines thereon dependent ; the Members of His Majesty's Council, and the Representatives of the People of the said Islands, in General Assembly convened, pray Your Most Excellent Majesty that it may be enacted :

Clause I.
Commissioners named by the Act No. 19, to tax Vessels liable to the Powder Tax, not to exceed 4d. currency per Ton, at the time such ship is liable to pay the Powder Tax.

And be it enacted and ordained by the Authority of the same, That it shall and may be lawful to the Commissioners for the time being, appointed under the authority of the Act, entitled An Act to amend an Act entitled an Act for the Preservation of the Harbour and Bay of St. George, appointing Regulations to be observed by Masters of Ships and other Vessels coming into and anchoring therein ; for empowering the Commander-in-Chief to appoint a Harbour Master, and for fixing his Salary ; and for limiting the Boundaries of Town Lots and Wharfs from encroaching on the Harbour, or any five or more of the said Commissioners so appointed ; and they, or any such five or more of them, are hereby empowered and directed at their first or subsequent Meeting after the publication of this Act, for the purpose of raising the Sum annually to be raised under this Act, to levy on and assess a Tax, or Duty, from and immediately after the passing of this Act, upon every Ship or Vessel paying, or liable to pay, the Tax, commonly called the Powder Tax, any Sum or Sums not exceeding the Sum of Four Pence Current Money for each Ton Burthen as per Register, whensoever, or so often, as such Ships or Vessels shall be so liable to pay such Powder Tax ; and also to levy on, and assess, the like Duty, not exceeding the said Sum of Four Pence Current Money aforesaid, for each Ton Burthen as per Register, on all and every Vessel not paying the Powder Tax (His Majesty's Ships and Vessels of War only excepted), to be paid at the time that such Vessel shall make her first Clearance at the Naval Office, or shall first take out, or renew, her Droghing Pass ; and that whether such Droghing Pass shall be renewed at the Port of Grenville, or at the Port of St. George, after the passing of this Act, and thereafter, at the time such Vessel shall make her first Clearance, or take out her Droghing Pass in each and every succeeding Year, which said Tax, or Duty, shall be within ten Days next after the same shall be, in manner aforesaid from year to year, assessed

Also a Tax not to exceed 4d. currency per Ton, on Vessels not liable to the Powder Tax (Ships of War excepted), to be paid at the time of Clearance at the Naval Office, or on first taking out or renewing, a Droghing Pass.

Time and mode of assessing the Tax.

and laid on, notified under the Hands and Seals of the said Commissioners, or any such five or more of them, as shall act therein, to the said public Treasurer of the said Island, and to the Collector of the Customs, and the Naval Officer for the time being, and by them stuck or hung up in some conspicuous place in their respective Offices; and which said Duty, or Tax, and Sum and Sums of Money to be hereafter raised under and by virtue of this Act shall be paid by the Master or Masters, Owner or Owners, of such Vessels, or other Person or Persons, in his, her, or their behalf, to the said public Treasurer of the said Island for the time being, who is hereby authorized, required and directed, to receive and collect the same; and upon the Receipt of the same to make or give a Certificate for each respective Payment, under his Hand, without demanding or taking any Fee for the same; and the Collector and Comptroller of His Majesty's Customs, and Naval Officer, of the said Port of Saint George, are hereby authorized and required, not to clear out any such Vessel; and the Collector and Comptroller of Grenville, as well as the Collector and Comptroller of St. George's are required to refuse to sign any such Droghing Pass, until such Certificate or Certificates, shall be produced, under the Hand of the Treasurer, that such Tonnage Duty, or Rate per Ton, assessed on such Vessel or Vessels has been fully paid and satisfied; and every Collector and Comptroller, who shall, without such Certificate, clear out any such Vessel from the said Ports of St. George and Grenville, or sign such Droghing Pass, and every Master or Owner of such Vessel, who shall refuse or neglect to pay to the said Treasurer the said Tax, or Duty, on such Vessels, shall, for every such Offence, forfeit the Sum of One Hundred Pounds, to be sued and recovered in the Supreme Court of Judicature of the said Island, by and in the name of the said Commissioners, or any five of them, no Essoin, Protection, or Privilege of Law, Wager of Law, Injunction, Order, or Restraint shall be granted or allowed.

To be paid by the Masters of Vessels to the Treasurer who is to make a Certificate of the Payment, without Fee.

Collectors and Comptrollers not to clear out Vessels, or sign Droghing Pass without such certificate, under a Penalty of £100.

Also Masters or Owners not paying the Tax, to forfeit £100.

And be it enacted by the Authority aforesaid, That the Produce and Proceeds of the said Tax, or Duty, to be collected and paid into the Hands of the Treasurer, as aforesaid, shall be, and remain in his Hands to pay all and every such Warrant and Warrants as shall be presented to him, under the Hands and Seals of the said Commissioners, or any five or more of them, and be by them, or any such five or more of them, exclusively appropriated and applied, according to the best of their Judgment, to the purposes of cleaning out the said Harbour, or Carenage, of St. George, and restoring the Depth of Water where the same hath been lessened, at the public Wharfs and Water Ways of the said Harbour, and thereafter in constantly keeping the same clean, and preserving the Depth of Water therein, and in the Erection of such Buildings and the procuring and purchase of such Machines, and the Hire of Servants, as they may deem requisite and necessary for the purpose.

Clause II.
The Proceeds of the said Tax to remain in the Treasurer's hands, to pay the Warrants from the Commissioners, to be by them applied to cleaning the Harbour, &c.

And be it further enacted, by the Authority aforesaid, That the Treasurer for the time being, collecting and receiving the same, shall at the end of every three Months from and after the publication of this Act, account to the said Commissioners, or to and with any five or more of them, for his Receipts and Expenditures under this Act, and after deducting Five per Cent. Commission on the gross Amount for his trouble, pay the Surplus, if any, in his Hands, to the said Commissioners, or any five or more of them, who shall, once in each and every year, account to the Legislature, and state such their Expenditures in and about the purposes of this Act, and pay the Surplus, if any, on such Settlement of their Account, to such Person or Persons, and in such manner, as the Legislature shall direct and appoint.

Clause III.
The Treasurer to Account every three Months to the Commissioners for his Receipts and Expenditures; to retain 5 per cent. and pay the Surplus to the Commissioners, who shall account yearly to the Legislature.

And be it enacted, by the Authority aforesaid, That this Act shall be deemed and taken to be a public Act, and shall be judicially taken notice of as such, by all Judges, Justices, and all other Persons whatsoever, without specially pleading the same.

Clause IV.
Declaring this to be a public Act.

No. XL.

An Act for appropriating a small vacant Lot in that Part of the Town of Saint George, called the Bay, to the purposes of a public additional Shipping and Landing Place, for that Part of the said Town and Harbour ; and for the Vesting the same in the Commissioners appointed by the Act commonly called the Road Act. [*August 1, 1810.*]

Preamble.

WHEREAS, the Lot in that part of the Town of Saint George, commonly called the Bay, bounded on the South side by the House and Premises now or lately belonging to Michael Lyndsey and Company ; on the North side by the House and Premises belonging to George English, now occupied by Richard George Thomas, Esquire ; towards the East, by Melville-street ; and West, by the Sea, hath been for many Years used as a Shipping and Landing Place by the Inhabitants, not only of the said Port of Saint George, called the Bay, but also by the Merchants residing in the Parade, and the adjoining Streets thereof, and is by much the safest and best Shipping and Landing Place in that part of the Harbour of Saint George, more particularly when high Northerly Winds and Surfs prevail, when shipping or landing Goods at the Landing Places of that Part of the Bay appropriated at present to that purpose are impracticable, and at such times, from being less exposed, practicable at the said Lot only ; And whereas, no Person or Persons now doth, or do, nor within the Memory of the Inhabitants of that Neighbourhood, hath or have claimed, or set up any Right or Title to the said Lot whatever ; and if any Grant thereof hath at any time been made by His Majesty of the said Lot, such Grant, according to the usual Terms of such Grants, must have become forfeited ; and it is highly expedient, and will contribute greatly to the convenience and advantage of the Merchants in the Neighbourhood of the said Lot, and the Public, in general, that the same should be appropriated to the Purposes of an additional public Landing and Shipping Place, and for that Purpose be vested in the Commissioners appointed under the Act entitled An Act to ascertain and declare the public Roads and Highways in the Islands of Grenada and Carriacou, to provide for the making Repairs, enlarging and keeping in Repair such public Roads and Highways, to regulate the method of conducting Roads from the interior Plantations to Church, Market, and convenient Harbours or Landing Places, or provide for Wharfs, and keeping in Repair the Streets in the Town of Saint George and the Town of Grenville, in the said Island of Grenada ; to appoint proper Persons for carrying the purposes of this Act into execution, and to repeal all Acts now in force, relating to the By-Roads and Streets in and through these Islands : And whereas, the Merchants residing in the vicinity thereof are willing to be at the Expence in the first instance of railing in and fencing off the said Lot from the said Street, and have already laid a proper Foundation thereon for shipping and landing Goods,

The Lot in the Bay, bounded as heretofore described, to be fenced off from Melville street, and a Slip and Foundation made thereon for landing Goods, to be a public Landing and Shipping Place—Persons using it to have the same rights as those using the present Landing place.

Be it therefore enacted, by His Excellency the Governor-in-Chief of these your Majesty's Islands of Grenada, and such of the Grenadines as lie to the Southward of the Island of Carriacou, including that Island ; the Members of your Majesty's Council, and the General Assembly of the said Island ; And it is hereby enacted by the authority of the same, that from and immediately after the passing of this Act, the said Lot shall and may be railed and fenced off from the said Street, and a proper Slip and Foundation made thereon for landing Goods, and from and after completing the same shall be and is hereby appropriated to the said Purposes of an additional public Landing and Shipping Place for the said Harbour and Bay.

for the Use and Benefit of all and every Person and Persons whatsoever, hereafter lawfully trading, shipping, or landing Goods, thereat, or thereon, in the same manner, and with the same right and privileges, as are granted to, and enjoyed by, such Persons at the present public Landing Places for the said Harbour and Bay ; and that for these purposes the said Lot and all Erections and Improvements made, or to be hereafter made thereon, shall be, and hereby is and are vested in the Commissioners for the Time being, appointed under the said Act, entitled as aforesaid, and commonly called the Road Act, and their Successors, that may be so nominated and appointed hereafter, under the said Act, under the same directions, with all and every such Powers and Authorities as are thereby given to the said Commissioners, and their Successors, or by any other Act of the said Island now in force in relation thereto ; Provided always that nothing herein contained shall be construed to take away the Rights, or bar the Claim, of any Person or Persons whatsoever, claiming a Right to the said Lot, under Grant from the Crown, which has not become forfeited to His Majesty.

The said Lot, &c., to be vested in the Commissioners under the Road Act with the same powers as given them by that Act. Vide Act, No. 134.

Provided. This Act not to take away the right, or bar the claim, of any Person under a grant from the Crown not forfeited.

And be it enacted by the Authority aforesaid, that this Act shall be deemed and taken to be a public Act ; and all Judges, Justices, and others, are required to take notice of the same as such.

Declaring this to be a Public Act.

No. XLI.

An Act for more effectually securing the Payment of certain Debts contracted for the Use and Benefit of the Estates and Plantations in this Island and its Dependencies, against the Effect of Sales, or Disposal thereof, or Change of Property therein, or the Death of Proprietors. [October 31, 1812.]

WHEREAS, the Supplies and Stores necessary for the Cultivation and Manufacture of the Produce of this Island and its Dependencies, and the Maintenance of the Stock employed thereon, are usually sold and purchased on Credit, payable at distant periods. And whereas many of the Proprietors of Plantations which are so supplied, do frequently sell, or otherwise convey and dispose of, their Estates or Plantations without making any Provision for payment of the Debts so contracted for the use, benefit and advantage of their said Plantations or Estates, and the Person or Persons coming into possession frequently refuse to pay the same ; And whereas it often happens in such cases that Persons affording their labour, time, and attendance, in, upon, or in regard to the affairs and business of such Estates or Plantations, in the character or characters of Attornies, Practitioners in Medicine, Managers, Overseers, Book-Keepers, or Tradesmen, are delayed, or wholly deprived, of payment of what is due to them ; And whereas it frequently happens, that at the time of the Decease of Persons possessed of Estates or Plantations, Sums of Money are due to Merchants who have furnished Supplies and Stores to such Estates or Plantations, either in the Island or from Europe, and to Persons who have afforded their labour, time and attendance, in, upon, or in regard to the affairs and business of such Estates or Plantations, in the character or characters of Attornies, Practitioners in Medicine, Managers, Overseers, Book-Keepers, or Tradesmen, and who, from the circumstances of Liens, Specialties, and Debts of prior rank, are either delayed in payment of the Sums respectively due to them, or entirely lose the same, all which are contrary to Justice and fair Dealing ; for Remedy whereof, We, your Majesty's dutiful and loyal Subjects, His Honor George Robert Ainslie, Esquire, Commander-in-Chief of the Island of Grenada, and the Grenadines, to the Southward of Carriacou, including

Preamble.

that Island ; the Members of His Majesty's Council ; and the Representatives of the People of the said Islands, in General Assembly convened, humbly pray your Majesty that it may be enacted ;

Clause I.
Stores from Europe or elsewhere, for Plantations, afforded within eighteen months previous to any sale or change of Possession thereof, to be chargeable on the new Owner.

The Person of such new Owner not to be liable to be attached for the same—the Debt to be recovered against the Person, and Execution to be levied on the Crops.

Certain Trusts created on such Estates to be deemed a Change of Property within the meaning of this Act.

Clause II.
Attornies, Practitioners in Medicine, Managers, and Tradesmen, affording Labour to Estates, to have the like Remedies for recovering their Hire, as provided for recovering Payment of Stores furnished within 18 months, &c.

Proviso.
An account of particulars to be given one Month previous to bringing an Action against the new Owner.

Clause III.
In case of the death of the Owner, or Change of Property, the Stores furnished

And be it, and it is hereby enacted, by the Authority aforesaid, that from and after the passing of this Act, all and every Store and Stores, or other Supplies, and Supply from Europe, or elsewhere, reasonable in amount, and necessary for the Cultivation and Manufacture of the Produce of the Plantations of this Island and its Dependencies, and the Maintenance of the Cattle employed thereon, which shall be afforded to and for the use or benefit of any Plantation or Estate, and which shall have been afforded or supplied within Eighteen Months previous to any Sale, Conveyance, Disposal, or Change of Property, or of Possession, in such Estate or Plantation, shall in all cases of Sale, Disposal, or Change in such Estates, be deemed and taken, and it is hereby declared, shall be deemed and taken, to be a Debt due from, and charged upon, the new Owner, Proprietor or Possessor, of the said Estate or Plantation, in the same manner as if he, she, or they, had contracted the said Debt, excepting, nevertheless, their Persons being liable to be attached or taken in Execution for the same ; but that such Debt, or the amount thereof, shall and may, by force and virtue of this Act, be recovered against such Person or Persons, in order that Execution for the Satisfaction thereof, shall and may be awarded, and levied upon the Crops or Produce of the said Plantation or Premises ; any Law, Usage, or Custom, to the contrary thereof, in anywise notwithstanding. And be it further enacted, that all Trusts created on any such Estate or Estates, Plantation or Plantations, shall be deemed and taken to be a Disposal, or Change of Property, within the Meaning of this Act, in case the Person or Persons, in whom such Trust is vested, shall have the legal Estate of the said Estate or Plantation vested in him, her or them, and shall enter thereon, be it for Term or Terms of Years, or otherwise.

And be it further enacted by the Authority aforesaid, that from and after the passing of this Act, all such Attornies, or authorised Agents, Practitioners in Medicine, Managers, Overseers, Book-Keepers, and Tradesmen, as shall have afforded their labour, time and attendance, in, upon, or in regard to the affairs and business of such Estate or Estates, Plantation or Plantations, shall have and be entitled to all and every the remedy and remedies for recovery of the payment of their respective Salaries, Fees, Allowances, and Hire, and for Materials found for the use and benefit of such Estate or Estates, Plantation or Plantations, as is, or are, hereinbefore given or provided for the recovery of the amount of all necessary Supplies and Stores afforded for the use and benefit of such Estate or Estates, Plantation or Plantations, within eighteen Months previous to any Sale, Conveyance, Disposal or Change of Property in such Estate or Estates, Plantation or Plantations ; any Law, Usage or Custom, to the contrary thereof, in anywise notwithstanding : Provided that no Person or Persons whomsoever shall be allowed to have, use, or take the Remedy or Remedies provided by the preceding Clause of this Act for their Relief, unless he, she or they, shall at least one calendar Month previous to their bringing any Action or Suit, under this Act, deliver, or cause to be delivered, to the new Possessor, or his Attorney, or the Manager, or Chief Overseer residing on the Estate or Plantation, whose property or possession thereof shall be charged as aforesaid, an Account, in Writing, signed by himself, herself, or themselves, of the whole particulars of his, her, or their Debts, due and owing to him, her, or them, from the previous Owner or Proprietor ; and that it shall not be lawful in any Action or Suit, for any Plaintiff or Plaintiffs, to go out of, or beyond the said Account at the Trial of such Action or Suit.

And be it further enacted, by the Authority aforesaid, that from and after the passing of this Act, in the Event of the Death of the Owner or Proprietor of any Estate or Plantation, or Change of Property, all and every the Stores or Supplies necessary for the Cultivation and Manufacture of

the Produce of such Estate or Plantation, and the Maintenance of the Cattle thereon, which shall have been afforded or supplied within eighteen Months previous to the Death of the Owner or Proprietor thereof, or Change of Property, shall be deemed and taken, and it is hereby declared shall be deemed and taken, to be a Debt due and charged upon such Estate or Plantation, as a Lien thereon, and shall be paid in preference to any other Lien or Incumbrance of whatsoever Nature, or any Debt of Record, Specialty, or any other Debt whatsoever, and such Debt, so charged as aforesaid, upon such Estate or Plantation, or the Amount thereof, shall and may by force and virtue of this Act, be recovered against such Person or Persons as may enter into Possession of such Estate or Plantation, howsoever such possession may be obtained, in order that Execution for the satisfaction thereof shall and may be awarded, and levied upon the Crops or Produce of the said Plantation or premises; any Law, Usage or Custom, to the contrary thereof, in any wise notwithstanding.

And be it further enacted, by the Authority aforesaid, that all Sums of Money due to any Person or Persons who shall have afforded their Labour, Time and Attendance, in, upon, or in regard, to the Affairs and Business of such Estate or Plantation, in the Character or Characters of Attornies, Practitioners in Medicine, Managers, Overseers, Book-Keepers, and Tradesmen, within eighteen Months previous to the Decease of the Owner or Proprietor of such Estate or Plantation, or Change of Property, shall be deemed, and it is hereby declared shall be deemed and taken to be a Debt due and charged upon such Estate or Plantation, as a Lien thereon, and shall be paid in preference to any Lien or Incumbrance of whatsoever nature, or any Debt of Record, Specialty, or any other Debt whatsoever; and such Attornies, Practitioners in Medicine, Managers, Overseers, Book-Keepers, and Tradesmen, shall have and be entitled to all and every such Remedy and Remedies as is or are given, or provided, by the preceding Clause of this Act, for the Amount of all necessary Stores or Supplies afforded for the use and benefit of such Estate or Plantation, within eighteen months previous to the decease of the Owner or Proprietor of such Estate, or change of Property.

And be it further enacted by the Authority aforesaid, That all and every Person or Persons suing under this Act, shall declare therein, in an Action of Debt, as the Case may be, for necessary Stores or Supplies afforded, or work and labour done, or Salary or Hire due, or Materials found and provided, or Attendance given, and Medicines found and provided, as the several respective Case or Cases shall or may be, for the use and benefit of such Estate or Plantation, setting forth the name thereof, late the property or in the possession of (whomsoever it may have been), which had accrued within eighteen months next before the Defendant or Defendants in such Action had become the Proprietor or Proprietors, or had entered into the possession of such Estate or Plantation; or within eighteen months before the decease of the late Owner or Proprietor, as the Case may be; and upon due proof of the said Debt in any of the Courts of Record in this Island having Cognizance of personal Actions, shall be entitled to recover the same, and have Judgment thereon and Execution against the Crops and produce of the said Estate or Plantation, in manner hereinbefore mentioned, and shall have and be entitled to the same Remedies for enforcing and satisfying any Judgment or Judgments, as are usual in cases of Recovery in any Action of Debt, excepting only, that the Person or Persons of such Defendant or Defendants, shall not be liable to be attached or taken in Execution, in consequence of such Verdict and Judgment, or any Execution to be awarded thereon.

And be it enacted by the Authority aforesaid, That this Act shall be deemed and taken to be a public Act, and all Judges and Juries are to take Notice of it accordingly, without being specially pleaded.

within 18 Months previous thereto, to be a Lien thereon, and payable before Debts of Record or otherwise.

The same to be recovered against the Person in possession, and Execution to be levied on the Crops.

Clause IV.
Sums of money due to Attornies, Practitioners in Medicine, &c., for attendance on Estates, within 18 Months previous to the death of the Owner, or change of Property, to be a Lien thereon, and paid in preference to Debts of Record and others.

Such persons to have the same remedies as provided for recovery of stores, &c.

Clause V.
Persons suing under this Act, to declare in debt for stores, or as the case may be.

Person of defendant not to be liable to attachment or executions.

Clause VI.
Declared to be a public Act.

No. XLII.

Vide Acts,
No. 54.
55.
63.
71.
77.
100.
169.

An Act to alter and amend certain Parts of an Act made and passed in the forty-eighth Year of the Reign of His present Majesty, for providing a Support for the Clergy of this Government, and other purposes therein mentioned, commonly called the Clergy Act. [*March 20, 1813.*]

Preamble.

WHEREAS, by an Act made and passed in the forty-eighth Year of the Reign of His present Majesty, for providing a Support for the Clergy of this Government, and other purposes therein mentioned, and commonly called the Clergy Act, it is enacted, that the Rector of the Parishes of Saint George, Saint John and Saint Mark, shall reside in the Town of Saint George; the Rector of the Parishes of Saint Patrick, Saint Andrew and Saint David, in the Parish of Saint Andrew; and the Rector of Carriacou, in the Town of Hillsborough; also that there shall be one Clerk and Sexton appointed for each of the Cures therein specified, the Residence of which Clerks and Sextons are enjoined to be in the respective Town or Parish wherein their Rectors are required to reside; and which Clerks and Sextons shall severally receive at the rate of One Hundred Pounds Currency per Annum, over and above the Fees; And whereas, the Appointment of one Clerk and Sexton for each Cure in Grenada in manner directed by the third Clause of the said Act, has been found not only inconvenient but inadequate to perform the Duties required within such extensive Cures; Be it therefore enacted by His Excellency George Robert Ainslie, Vice Governor and Commander-in-Chief, in and over the said Island of Grenada and its Dependencies; the Honorable the Members of His Majesty's Council, and the General Assembly of these Islands; and it is hereby enacted by the authority of the same, that from and after the publication of this Act, so much of the said recited Act as relates to the fixing the Residence of the said several Rectors, and the Production and Lodging of Certificates of Residence previous to the Payment of their respective Salaries by the public Treasurer, the mode of appointing Clerks and Sextons as well as the fixing their place of Residence, and their Salaries of One Hundred Pounds per Annum, together with the mode of Payment, as directed by the said Act, shall be, and the same are hereby declared to be henceforth no longer in force; and all Appointments of Clerks and Sextons made under the said third Clause, are hereby declared null and void.

Clause I.
So much of the Clergy Act of 11th Dec. 1807, as relates to fixing the residence of the several Rectors, and the production of certificates thereof, previous to the payment of their salaries; the mode of appointing Clerks and Sextons, and fixing their residence, salaries, and mode of payment, repealed.
Vide Act, No. 37.

Clause II.
One Clerk and Sexton to be chosen and appointed for each church, in manner herein directed.

And be it further enacted, by the Authority aforesaid, that instead of appointing only one Clerk and Sexton for each of the Cures within this Government, there shall be one Clerk and Sexton chosen, as hereinafter mentioned, for each of the Churches or places of Worship following, that is to say—one for the Church or place of Worship in the Town of Saint George; one other for the Church or place of Worship in Charlotte-Town; one other for the Church or place of Worship in the Parish of Saint Patrick; one other for the Church or place of Worship in the Parish of Saint Andrew; one other for the Church or place of Worship in the Parish of Saint David; and one other for the Church or place of Worship in the Island of Carriacou; and every such Clerk and Sexton shall be chosen and appointed as follows, that is to say: the Clerk and Sexton for the Church in the Town of Saint George, shall be chosen by the Vestry, as hereinafter constituted for the said last mentioned Church, and shall reside in the Town of Saint George, or within one Mile thereof; the Clerk and Sexton to officiate in the Church or place of Worship in Charlotte-Town, shall be chosen and appointed by the Rector of the Cure and the Magistrates residing in the Parishes of Saint John and Saint Mark, and shall reside within either of

the same two Parishes ; the several Clerks and Sextons to officiate in the several Churches or places of Worship in Saint Patrick, Saint Andrew, and Saint David, shall be chosen and appointed, and shall reside, as follows, that is to say, the Clerk for the Parish of Saint Patrick, by the Rector of that Cure, and the several and respective Magistrates, residing within that Parish, and shall reside within the last mentioned Parish ; the Clerk for the Parish of Saint Andrew, by the Rector of that Cure, and the Magistrates residing within the Parish of Saint Andrew, and shall reside within the last mentioned Parish ; and the Clerk of the Parish of Saint David, by the Rector of the Cure, and the Magistrates residing within that Parish, and shall reside within the same ; and the Clerk and Sexton for the Island of Carriacou, shall be chosen and appointed by the Rector of that Cure, and the Magistrates residing within the same, at any Meeting or Meetings for the appointment of the said several Clerks and Sextons, after Notice thereof in the public Gazette : and all Appointments and Acts by such Vestry, and any three of them, as well as by the several and respective Rectors, and the Majority of the said several and respective Magistrates, at any Meeting or Meetings appointed and held within the said several and respective Towns, Parishes, and Island of Carriacou, shall, after Advertisement in such Gazette of the respective Day and Days of Meeting, be deemed and taken to be valid and binding.

And be it further enacted, by the authority aforesaid, That the Persons appointed to the Office of Clerk and Sexton for the Church of Saint George, shall be entitled to receive a Salary at the rate of Sixty-six Pounds per Annum ; and all the other Clerks and Sextons to be appointed for Charlotte-Town, Saint Patrick, Saint Andrew, and Saint David, and Carriacou, shall each of them be entitled to receive a Salary at the Rate of Thirty-three Pounds per Annum, in addition to the several Fees specified in the said recited Act ; and the said several Salaries shall be payable at the end of every six Months by the public Treasurer of these Islands, and are hereby declared to be charged and chargeable on the Funds provided and directed to be received for such purpose in and by the said recited Act ; Provided nevertheless, that the said Treasurer shall not be authorised to pay the said several Salaries, or any part thereof, until each of the parties claiming the same shall produce to him a Certificate, under the Hand of the respective Rector of the Cure in which such Town or Parish Clerks and Sextons may officiate, of his being duly appointed, and of his having duly and faithfully attended and performed the Duties attached to the Office of Clerk and Sexton.

Clause III.
Salaries of Clerks
and Sextons.

Payable every six
months, by the Treas-
urer, on production
of a certificate from
Rector, as herein
directed.

And be it further enacted, by the Authority aforesaid, That the Members of the Council resident in the Town of Saint George, the Members of the Assembly for the Town of Saint George, and for the united Parishes of Saint George and Saint John, together with the Rector of the Cure (if the same shall be full), or any three of them, the Rector (in such last mentioned case) being one, shall be a Vestry, and have full power and authority to regulate and direct all Acts and Matter whatsoever, relative and pertaining to the said Town and Parish Church of Saint George and Church Yard, and Ground now and hereafter to be allotted for the common Burying Ground, and further to grant Certificates to the Organist, Workmen and other Persons, as in the said Act specified, and so much of the eighteenth and nineteenth Clauses of the said recited Act as limits the Quorum of the said Members of Council and of the Assembly to the Number of Five and the Rector, shall be, and the same is hereby declared to be repealed, and no longer in force.

Clause IV.
Vestry for the town
and parish church
of St. George, of
whom composed.

To have power to
regulate all Acts
relative to the said
church, &c.
To grant certificates
to Organist and
Workmen, as di-
rected by the recited
Act. So much of
the 18th and 19th
clauses of the said
Act as relates to the
quorum, &c., re-
pealed.
Vide Acts, Nos. 83,
and 180.

And whereas, by the tenth Clause of the said recited Act, for regulating the Expences to be incurred in the different Benefices or Cures, for the Reparation of Churches and other purposes, it is directed that such Expences be determined by the Magistrates, being Protestants, within each respective Cure, and the Rector thereof, or a majority of them ; And

Preamble.

The 10th Clause of the recited Act, as far as it requires the repairs of the church of St. George, to be settled by Protestant Magistrates, repealed; the same to be settled by the Vestry, and paid out of Church Rents, in default thereof, by the Treasurer, out of unappropriated monies.

The Vestry to give certificates of sums due for repairs.

Proviso.
The expences not to exceed £100 in one year.

Clause VI.
Act declared to be a public Act.

whereas, such regulation is become almost ineffectual, on account of the difficulty of collecting at one and the same time a majority of the said Magistrates residing within any one Cure; Be it therefore enacted, by the authority aforesaid, that the said last recited Clause shall be, and the same is, in so far as relates to the Town and Parish of Saint George, hereby repealed, and declared to be henceforth no longer in force; and that in lieu thereof, all Expences attending the Reparation of the Church and Church Yard in the Town of Saint George, shall and may be regulated and determined by the Vestry thereof, as hereinbefore constituted, and be paid out of the Church Rents or Funds, and in Default thereof, then by the public Treasurer, by Warrant from the Commander-in-Chief for the time being, out of any unappropriated Monies in his Hands; and the said Vestry shall, and they are hereby required to grant, under their Hands, Certificates and Certificate from time to time, of the Sum and Sums due and incurred for, and on Account of all Work and Reparation to the said Church and Church Yard; Provided nevertheless, that such Expences do not in any one Year exceed the Sum of One Hundred Pounds current Money of Grenada.

And be it further enacted, by the Authority aforesaid, that this Act shall be deemed and taken to be a public Act, and shall be noticed accordingly, without being specially pleaded.

No. XLIII.

An Act for laying and assessing certain Rates or Taxes on the Sugars made and manufactured on certain Estates in the Parishes of St. Andrew and St. Patrick, for the purpose of completing a Stone Bridge and Bridge-Way over the Great River in the Parish of St. Andrew, near the Paradise Ford, and for granting and appropriating a certain Sum in Aid thereof, and for appointing Commissioners to carry the same into effect. [July 15, 1814.]

* * *The objects of this Act being effected, it is not deemed necessary to print more than the title.*

No. XLIV.

In part repealed by Act No. 134.

An Act for dividing the Parish of St. Mark, and uniting Part thereof to the Parish of St. Patrick, and Part to the Parish of St. John, and the Estate of Crochu in St. Andrew's to the Parish of St. David, in so far only as regards the Militia and Road Labour. [May 27, 1815.]

Preamble.

WHEREAS, that part of the Parish of Saint Mark which lies on the South side of the River Duquesne, and betwixt it and the River Crawfish, is situated at a very great distance from the Town of Gouyave; and it would be much more convenient for the Inhabitants of the said District to be attached to the Saint Patrick's Regiment of Militia; And whereas, several Estates on the North side of the River Duquesne do make constant use of the Public Road on the South side of the said River, but do never contribute in any manner to the Repairs of the same, which in justice they ought to do; Be it therefore enacted, by His Excellency Sir Charles Shipley, Knight, Governor and Commander-in-Chief in and over the Island of Grenada and its Dependencies; the Honorable the Members of His Majesty's Council, and the General Assembly of these Islands;

And it is hereby enacted by the Authority of the same, That the said District of the Parish of St. Mark, lying betwixt the River Duquesne and the River Crawfish, shall from henceforth be attached to and considered as a Part of the Parish of St. Patrick, in so far only as regards the Militia and Road Labour; that such of the Inhabitants of the said District as are or ought to be attached to the Foot Militia, shall henceforth join the St. Patrick's Regiment, and form part of the same; and that the Public Roads, lying within the said District, shall be put under the Direction and Superintendence of the Commissioners or Waywardens of the Parish of St. Patrick, who are authorized to apportion such part of the Statute Labour from either side of the River Duquesne, for the Repairs of the said Roads, as they shall deem proper.

And whereas the continuance of the remaining Part of the Parish of St. Mark as a separate District, as far as regards the Roads or Militia, will henceforth be unnecessary, Be it therefore enacted by the Authority aforesaid, That the other Part of the Parish of St. Mark, lying betwixt the River Crawfish and the River Maran, shall from henceforth be united to and considered as part of the Parish of St. John, in so far as regards the Public Road and Militia only, in the same manner as the other part of the said Parish is united to the Parish of St. Patrick: that five Commissioners or Waywardens, instead of three, be henceforth appointed to superintend and direct the Repairs of the whole Roads within the enlarged Parishes, and that the Functions of the three, now acting for the Parish of St. Mark, do cease and determine from the date of the Publication of this Act.

Be it further enacted, by the Authority aforesaid, That Charles Coquet and John Murray, Esquires, be appointed to join the three Commissioners now acting for the Parish of St. John, to continue in Office for the same period as they were appointed to act for the Parish of St. Mark,

And whereas the Estate of Crochu, in the Parish of St. Andrew, lies at a great distance from the Town of Grenville, and is much detached from that Parish in general; Be it therefore enacted by the authority aforesaid, That from and after the Publication of this Act, the Estate of Crochu and Mon Cassell thereunto attached, shall be united and considered as part of the Parish of St. David, in so far only as regards the Public Roads and Militia, in the same manner as the District of the Parish of St. Mark, adjoining to the River Duquesne, is annexed to the Parish of St. Patrick.

And be it enacted by the Authority aforesaid, That this Act shall be deemed and taken to be a Public Act, and shall be judicially taken notice of as such by all Judges, Justices, and all other Persons whatsoever, without specially pleading the same.

Clause I.
Part of the Parish of St. Mark, lying between the Rivers Duquesne and Crawfish, to be considered as part of the Parish of Saint Patrick in future, as far as regards the Militia and Road Labour.

Clause II.
Remaining part of the parish of Saint Mark no longer to be a separate district, in regard to the roads or militia, but to be considered as part of the Parish of St. John in those respects.

Five Road Commissioners to be henceforth appointed instead of three, for the enlarged Parishes.

Clause III.
Two additional Commissioners appointed for the Parish of St. John.

Clause IV.
Crochu and Mon Cassell Estates to be henceforth considered, as far as regards the Militia, &c., as part of the Parish of St. David.

Clause V.
Declared to be a public Act.

No. XLV.

An Act to confirm a Contract lately made by the Council and Assembly, with the Attorney of the Heir-at-Law of the late Alexander Scott, for the Purchase of a certain House and Premises called "York House," in the Town of St. George, to vest the same in Trustees for the purposes therein mentioned; and to provide for the Payment of the Purchase Money, agreed to be given for the Purchase thereof. [May 18, 1817.]

WHEREAS, it has been deemed expedient by the Council and Assembly, to treat with the Attorney of the Heirs-at-Law of the late Alexander Scott, for the Purchase of the House and Premises known by the name of "York House," situated in the Town of St. George, containing, or supposed to contain, one Acre of Land, or thereabouts, with the Buildings thereon, being with a view of vesting the same to the Use of the Public;

And whereas, in pursuance of a Resolution of the two Houses bearing Date the Thirteenth Day of December, in the Year of Our Lord, One Thousand Eight Hundred and Fifteen, the Sum of Two Thousand Five Hundred Pounds Sterling, was offered to the said Attorney of the Heir-at-Law of the said Alexander Scott, for the said House and Premises, called "York House;" the payment of which was proposed to be made by one half of the Purchase Money being paid to the said Attorney on his delivering Possession thereof to the Committee of Public Buildings, the other half of the Purchase Money being paid on Completion of the Title thereof. And whereas, the Attorney of the Heir-at-Law of the said Alexander Scott, acceded to such offer; and it is expedient to ratify the said Bargain, by an Act of the Legislature, and to vest the said House and Premises in Trustees, for the better effecting the purposes proposed by the Council and Assembly, in making such Purchase; We, therefore, Your Majesty's most dutiful and loyal and obedient Subjects, His Excellency Major-General Phineas Riall, Governor and Commander-in-Chief of these Your Majesty's Islands of Grenada and such of the Grenadines as lie to the Southward of the Island of Carriacou, including that Island; the Honorable the Members of Your Majesty's Council, and the General Assembly of the said Islands, pray Your Most Excellent Majesty that it may be enacted,

Clause I.
The building called York House, in the Town of St. George, vested in the President of the Council and Speaker of the Assembly for the time being, George Gun Munro, Henry Bridgwater, and William Dawes, Esquires, as Trustees, for the use of the Colony.

And it is hereby enacted and ordained by the Authority of the same, and by, and with the consent of the said Governor, Council and Assembly, as aforesaid, That all that Messuage, Tenement, and Hereditament, called or known by the name of "York House," and described in the plan hereunto [annexed,] situate, lying and being in the Town of St. George in the Island of Grenada, and the Appurtenances thereto belonging, being the property of Alexander John Scott, Heir-at-Law of Alexander Scott, deceased, and late in his Tenure and Occupation, or in the Tenure and Occupation of his Attorney, shall be, and is and are hereby vested and declared, and taken to be in the actual and real Possession and Seisin of the President of His Majesty's Council, and the Speaker of the House of Assembly for the Time being, George Gun Munro, Henry Bridgwater, and William Dawes, Esquires, in Trust nevertheless, for the Use of the Colony of Grenada.

Preamble.

And whereas, in pursuance of a Resolution of the Two Houses of the Legislature of the Twenty-fourth of April, One Thousand Eight Hundred and Sixteen, the Sum of One Thousand Two Hundred and Fifty Pounds Sterling, hath been paid to the Attorney of the Heir-at-Law of the said Alexander Scott, who hath delivered Possession of the said Premises to the Committee of Public Buildings; and, in order to complete and ratify the Bargain so made with the Attorney of the Heir-at-Law of the said Alexander Scott, deceased, and to provide for the due and faithful Discharge of the said Contract; Be it enacted and ordained, by the Authority aforesaid, That the Sum of One Thousand Two Hundred and Fifty Pounds Sterling, shall be paid by the Public Treasurer to the said Attorney of the Heir-at-Law, of the said Alexander Scott, deceased, or to the Executors, Administrators, or Assigns of the said Heir-at-Law of Alexander Scott deceased, or to such other Person as he or they shall direct and appoint when and so soon as the said Heir-at-Law of the said Alexander Scott, shall give a good and sufficient Title to the said Messuage, Tenement, and Hereditament called "York House," unto the Trustees herein-before named, to the Use herein-before mentioned.

Clause II.
The remainder of the purchase money, viz. £1250 sterling, to be paid to the Attorney of Mr. Scott's heir at law, or other representative, as soon as he shall give a sufficient title to York House.

Clause III.
Vacancies in the number of Trustees to be filled up as they occur, by the joint resolution of the Council and Assembly.

And be it enacted, by the Authority aforesaid, That in all cases of Vacancy and Vacancies in the number of Trustees herein-before named and appointed, by Death, or absence from the said Island for twelve Months, in all and every such case and cases, as often as the same shall happen, every such Vacancy shall be filled up by the joint Resolution of the Council and Assembly.

Clause IV.

And it is further enacted, That this Act shall be deemed and taken to

be a public Act, and shall be judicially taken Notice of by all Judges, Justices, and all Persons whatsoever, without specially pleading the same. This Act declared to be a public one.

No. XLVI.

An Act to authorize holding the Sittings of the Courts of Justice, and of the Legislature of these Islands, in the Building known by the name of York-House, during the rebuilding of the present Court-House. [September 30, 1817.]

WHEREAS, it hath been found necessary to rebuild the present Court House, and the Building commonly called or known by the name of York House, lately purchased by the Colony, may, with very little Expence, be fitted up, so as to answer all the purposes thereof ;

May it please His Most Excellent Majesty, therefore, that it may be enacted, And be it, and it is hereby enacted, by His Excellency the Governor and Commander-in-Chief of the Island of Grenada, and such of the Grenadines as are annexed to, and included in the Government thereof ; the Honorable the Members of His Majesty's Council, and the Representatives of the People of the said Islands, in General Assembly convened, and by the authority of the same, That the House commonly called York House, be, and it is hereby appointed as the place for holding the Sessions of the Supreme Court of Judicature, and the other Courts of Justice, and for the Meeting of the Two Houses of the Legislature, until the said Court-house shall be taken down and rebuilt ; and declared by joint Resolution of the Council and Assembly, to have been completed in such a manner as to be suitable for the accommodation of the Courts of Justice and the two Branches of the Legislature.

York House appointed as the place for holding the Courts of Justice and meetings of the legislature until the old Court House be suitably rebuilt.

No. XLVII.

An Act to quiet Possessions, and for preventing vexatious Suits at Law. [March 4, 1819.] Vide Act, No. 124.

WHEREAS, many Persons have purchased Estates in this Island, and in the neighbouring Islands, situate within this Government, and have paid large Sums of Money for the same ; and whereas, it sometimes happens, that Persons having an interest, or claiming Title, to such Estates, have vested the same in Trustees, and have created Incumbrances thereon by way of Mortgage or otherwise ; and it frequently happens that such Persons, in whom the said Estates have become vested, are not themselves resident, nor have any Attornies within the Colony ; and whereas the said Securities have sometimes been agreed to be assigned over to subsequent Purchasers or Incumbrancers, and the purposes for which the said Securities have been raised have been satisfied, but from the Absence of any Documents in the Register's Office, the said Incumbrances, whether by Terms for Years or otherwise, may appear to be outstanding, whereby the Titles to such Estates are defective, and liable to be impeached ; and whereas, some Titles heretofore made of Lands, and other Things, from Want of Skill and Knowledge in those who drew the Conveyances for the same may admit of Disputes and Suits in Law and Equity ; for Remedy whereof, and to prevent vexatious Suits and to ease the Inhabitants and advance the public Good by the more ready transmutation of property ; May it please His Excellent Majesty that it may be enacted by his Excellency Phineas Riall, Esq. Governor, and

Preamble.

Commander-in-Chief, in and over the Island of Grenada and the Grenadines; the Members of His Majesty's Council, and the Representatives of the People in General Assembly convened;

Clause I.
Persons possessing and who have been in possession of Lands, Houses, Tenements, or other Hereditaments under any Patent, Deed, or other conveyance for seven years, prior to the confirmation of this Act, without suit, claim, or interruption, or who from the period of first obtaining possession, shall continue for seven years peaceably therein, shall hold and enjoy the same thereafter.

Infants, women under coverture, persons of unsound mind, persons in the West Indies, North America, Great Britain, &c., to have liberty by themselves, or their Attornies, to commence actions within a limited time after their respective disabilities shall be removed. Infants.

Women under coverture.

Persons of unsound mind and memory.

Persons of full age residing in the West Indies, North America, Great Britain, Ireland, or elsewhere in Europe, Africa, and the East Indies.

Persons imprisoned at the time of the confirmation of this Act.

Nothing in this Act to make void the reservation of any rents or services to the King or any right accruing to him in any lands or

And be it and it is hereby enacted by the Authority of the same, That from and after the date of Confirmation of this Act by His Majesty, all Possessors of Lands, Houses, Tenements, or other Hereditaments, by virtue of any Patent, Deed, Assignment or Conveyance whatsoever, made or granted, who have been in the peaceable Possession without Suit, Claim, or Interruption for the space of seven Years before the Confirmation of this Act, by His Majesty, or who shall continue in such Possession from the first possessing the same, by themselves, or those under whom they claim, for and during the space of seven Years, shall have and enjoy such Estate respectively, and hold the same in Fee against all Persons whomsoever and whatsoever, and give this Act in Evidence, or plead it in Bar in any Suit or suits to be maintained by or brought against him, her or them, by His Majesty, his Heirs or Successors, or any other Person or Persons whatsoever, and against all and every Entry, Claim and Demand whatsoever, which shall be and are respectively barred hereby; Provided nevertheless, that Infants, Women under coverture, Persons of unsound Mind and Memory, Persons in this Island and the other West India Colonies and in North America, Great Britain, Ireland, and elsewhere in Europe, and Persons in Africa and the East Indies, and Persons confined in Prison, shall have liberty by themselves, their Agents or Attornies, to commence their Actions respectively within such Times after the Disabilities removed as are respectively hereinafter limited, that is to say, Infants who shall be residing at the Time they respectively come of Age, within this Colony or any of the other West India Colonies, within twelve Months; and if within North America, in eighteen Months; and in Great Britain, Ireland, or elsewhere in Europe, within two Years; and in Africa and the East Indies, within three Years after they shall respectively attain the Age of twenty-one Years; Women under coverture, who shall be respectively residing within this Colony, or any other of the West India Colonies, within twelve Months; and in North America within eighteen Months; and if in Great Britain, Ireland, or elsewhere in Europe, within two Years; and in Africa and the East Indies, within three Years after the Death of their respective immediate Husbands; Persons of unsound Mind and Memory, who at the Time they become of sound Mind and Memory, shall be resident in this Colony, or in any of the other West India Colonies, within twelve Months; if in North America, within eighteen Months; and if in Great Britain, Ireland, or elsewhere in Europe, within two years; and in Africa and the East Indies, within three Years after they shall respectively become of sound Mind and Memory; Persons of full Age, and residing in this or any other of the West India Colonies, within twelve Months; if in North America, within eighteen Months; and if in Great Britain, Ireland, or elsewhere in Europe, within two Years; and in Africa and the East Indies, within three Years from the Date of the Confirmation of this Act; Persons imprisoned at the Time of the Confirmation of this Act, in this or any other of the West India Colonies, within twelve months; if in North America within eighteen Months; and in Great Britain, Ireland, or elsewhere in Europe, within two years; and in Africa and the East Indies, within three Years after they shall be respectively liberated from such Imprisonment; or otherwise such Persons are hereby declared to be barred according to the true Intent and Meaning of this Act, for ever; any Law, Custom, or Usage to the contrary notwithstanding; Provided also, that nothing in this Act contained shall be in any way deemed or construed to extend, to extinguish, bar, disannul, or make void the Reservation of any Rents or Services heretofore reserved, or which hereafter shall be, or ought to be, or to have been reserved, to the King's Majesty, his Heirs and Successors, in and by any Letters Patent, for and in respect, and by reason of any Lands, Tenements,

or Hereditaments therein contained; or any Right accruing to His Majesty by forfeitures in consequence of the non-performance of conditions by deed, or in law, nor of the covenants contained in any grants of the Crown.

And not to be construed to give title to any Mortgagee or Lessee of lands or to any other person possessing such property as Guardian, Attorney, or otherwise in right of another, to any particular use or trust.

or any thing herein contained, shall not extend or be deemed, held, taken, or construed to extend, to confirm, or give Title to, any Mortgagee or Lessee of any Lands, mortgaged, or in Lease, or to any other Person or Persons, to any Lands, by him, her or them possessed as Attorney, or Guardian, or otherwise, in Right of another, to any particular Use, Trust, Courtesy, Dower, Estate for Years or for Life, or Intail, or to any Person or Persons whatsoever, claiming, or to claim from, by, or under, any Mortgagee, Lessee, or to any Attorney or Guardian, or other Person seised or possessed, to the Use, or in Trust, for another, under such Tenants, by the Courtesy, in Dower, for Years or for Life; but that the same remain and be, to all intents and purposes, as before the Confirmation of this Act: any thing therein contained to the contrary in anywise notwithstanding, other than as herein-after mentioned and directed respecting the same; Provided also, that where there are two or more Patents for the same Lands and Tenements in being, nothing in this Act contained shall extend, or be construed to extend, to confirm the Right or Title of any latter Patentee, or of any Person or Persons claiming from, by, or under him, to the Prejudice of any prior Patentee, or any Person or Persons claiming from, by, or under such prior Patentee.

And whereas through the Neglect of many Persons, Satisfaction hath not been entered on Record, by due form of Law, upon Judgments entered, though they have been duly satisfied; and, to the end that vexatious Suits at Law in relation thereto, may be prevented, and that all dormant Bills, Bonds, Judgments, Executions, and other Securities for Money, which have not hitherto been, or shall not be legally demanded within the times herein-after mentioned, may become void; Be it and it is hereby enacted by the Authority aforesaid, That all Bills, Bonds, and Mortgages, whereon no Interest hath been paid, and Judgments, Executions, Recognizances, Fines and Amerciaments, and all and every other Writing and Writings Obligatory whatsoever, which have not been legally demanded within the space of twenty Years last past, since the Dates thereof respectively, or since the last Payment of Interest, upon such Bills, Bonds and Mortgages, and that shall not be legally demanded by any Person or Persons whatsoever, within the space of twelve Months of Residence within this or any other of the West India Colonies; and within the space of eighteen Months of Residence in North America; or within two Years of Residence in Great Britain, Ireland, or elsewhere in Europe; and in Africa and the East Indies within three Years from and after the Confirmation of this Act, shall be and are hereby declared to be null and void, to all Intents, Constructions, and Purposes whatsoever; any Laws, Custom or Usage to the contrary thereof in any wise notwithstanding.

And be it further enacted by the Authority aforesaid, That all Bonds, Mortgages, Judgments, Executions, Recognizances, or Writings Obligatory whatsoever, which shall have hereafter lain, or hereafter shall lie dormant for the said space of twenty Years, without any Proceedings having been had, or interest paid thereon, or legal Demand made thereof, shall be and are hereby declared to be null and void; any Law, Custom, or Usage to the contrary thereof in any wise notwithstanding.

And be it enacted, by the Authority aforesaid, That this Act shall be deemed and taken to be a public Act, and shall be judicially taken Notice of as such by all Judges and other Persons whatsoever, without specially pleading the same.

And be it further enacted, by the Authority aforesaid, That this Act, or any Matter, Clause or Thing therein contained, shall not be in

Clause II.
Bills, Bonds, Mortgages, whereon no interest has been paid, and Judgments, Executions, &c., not having been legally demanded within the last twenty years since the dates or last payment of interest, and which shall not be legally demanded within certain periods of residence in the East and West Indies, Europe, Africa, and America, respectively, after the confirmation of this Act, to be declared null and void.

Clause III.
And all Bonds, Judgments, or other Writings obligatory which have been or shall lie dormant for twenty years, without any proceedings, declared to be void.

Clause IV.
Act declared public.

Clause V.
Not to be operative until His Majesty's

assent thereto be Force until His Majesty's Assent thereto be duly signified in this Island of Grenada.

Assented to by Order in Council dated 23rd Dec., 1819, and such assent signified in Grenada, 7th March, 1820.

No. XLVIII.

Vide Act, No. 50. An Act for the more easy Recovery of Seamen's Wages. [Dec. 21, 1819.]

Preamble.

WHEREAS, it is expedient to provide a more suitable and expeditious mode of recovering the Wages due and payable to Seamen, Sailors, or Persons serving on board Merchant Vessels, than by a Suit in Admiralty, or at Common Law, the Proceedings in these Courts being expensive, and tending to delay.

Clause I.
Complaint being made upon oath, to the Judge of the Court of Vice-Admiralty, or to two or more Justices of the Peace, by any Person serving on board of a merchant vessel, respecting the withholding of Wages due on such account:—the Judge or Justices to summon the Owner, Master, or Person having charge of the Vessel to appear, and such Summons to be served personally, or a copy left on board the Vessel, 24 hours before the time of appearance.

Parties to be examined upon oath, relative to the said charge.

After hearing and examining both parties, the Judge or Justices to award what wages shall appear to be due, which, with all expenses attending the complaint, to be paid within 48 hours after the award,—in failure whereof a Warrant to be issued to the Provost-Marshal-General for the apprehension and imprisonment of the Defendant until payment be made, or to levy the amount on the Furniture of the Vessel, or on the goods, wares and merchandises on board, and sell the same at public outcry, after once advertising to such effect.

Clause II.

Be it therefore enacted by His Honor Andrew Houstoun, Esquire, President of the Council, and Commander-in-Chief in and over the Island of Grenada and the Grenadines thereto attached, the Members of His Majesty's Council, and the General Assembly of the said Island, That upon Complaint made upon Oath to the Judge of the Court of Vice-Admiralty, or any two or more of His Majesty's Justices of the Peace within this Government, by any Seaman, Sailor, or other Person serving on board any Merchant Ship or Vessel, touching the Wages due or payable to such Seaman, Sailor, or other Person on board thereof, or the amount or rate of such Wages, and the withholding or non-payment thereof, it shall and may be lawful to and for such Judge or Justices of the Peace, to issue a Warrant or Summons, directed to such Owner, Master, or Person in charge of the Ship or Vessel to which such Seaman, Sailor, or Person so serving shall belong; shortly stating the cause or nature of such Complaint, and requiring the appearance of such Owner, Master, or Person so in charge, to answer thereto; and the service of such Warrant or Summons may be made personally, or by leaving a Copy thereof on board such Ship or Vessel, twenty-four Hours before the time of appearance; and on hearing and determining such Complaint, the Parties shall and may be examined upon Oath, to prove or disprove the same, as well as all other Matters relating thereto; and such Judge or Justices is and are hereby authorized to put all such Questions as he or they may think proper, and to require each Party to produce all and every the Contract, Articles, or Agreement in Writing, between the Parties, Complainant and Defendant, in their, or any of their Custody and Power, or in Default of the production thereof, to hear parole Evidence of the contents thereof, and after hearing both Parties, such Judge or Justices shall, forthwith, award whether any or what Wages, and at what Rate, are due to the Complainant; and in case of the non-payment thereof, within forty-eight Hours after the award, and all Expenses attending such Complaint, such Judge or Justices shall further issue his or their Warrant, shortly stating the nature or cause of Complaint, and his or their Awards thereon, to be directed to the Provost Marshal of Grenada, or his lawful Deputy, requiring him to take the Body of, and imprison such Owner, Master, or other Person in charge of such Ship or Vessel, until Payment of such Award, and all Costs, or otherwise levy the amount thereof on the Tackle, Guns, Boats, or Rigging, belonging to the said Ship or Vessel, or upon any Goods, Wares, or Merchandize, to be found on board thereof, and to sell the said Tackle, Guns, Boats, Rigging, or Goods, by public Outcry, in the most public Place of the Town, nearest to which such Ship or Vessel may lie, after once advertising the same for Sale, in the public Gazette or Newspaper.

And be it further enacted, by the authority aforesaid, That on hearing

and determining every and each such Complaint, mutual Credit shall be given and allowed, and the Balance only shall be awarded due, and levied for as hereinbefore directed.

And be it further enacted, by the authority aforesaid, That in case any Owner, Master, or other Person so in charge as aforesaid, shall neglect or refuse to appear before such Judge or Justices as aforesaid, or to answer such Complaint, then, upon due Proof of the service of such Warrant or Summons, personally, or of a copy thereof being left on board the Ship or Vessel to which such Seaman, Sailor, or other Person so serving, may or did belong, it shall and may be lawful to and for such Judge, or Justices, to proceed to hear and determine such Complaint, and make such Award, and issue such Execution as is herein-before directed, in the same manner and to all Intents and Purposes as if the Party Defendant had appeared, pursuant to such Warrant or Summons, or answered such Complaint, and provided further, that after making his Award, such Judge or Justices shall, and they are hereby authorized to hold the Party Defendant to Bail, for securing payment of the sum awarded, within forty-eight Hours after making such Award as aforesaid.

And be it enacted by the Authority aforesaid, That this Act shall be deemed and taken to be a Public Act, during the time of its continuing in force, which shall be for the space and term of two Years, from the date hereof, and no longer.*

Mutual credit to be allowed between the Parties, and the balance only to be awarded and levied for.

Clause III. Defendant neglecting or refusing to appear, the Judge or Justices, upon proof of the service of the summons, may proceed to hear and determine such Complaint, and make the award, and issue Execution, as before directed, and may hold the Defendant to bail, for securing payment of the sum awarded.

Clause IV. Declared a public Act—but to be in force for two years only.

No. XLIX.

An Act to repeal so much of an Act entitled “An Act for Recording all the Laws that have passed the Legislature of this Government since the eighteenth Day of July, One Thousand Eight Hundred and Five, and also all the Proclamations hereafter to be made and issued, in manner therein directed,” as relates to the Examination of the said Acts by the President of the Council, the Speaker of the Assembly, and the Secretary of the Island, or his lawful Deputy; and to render valid the Examination thereof by the Secretary or his lawful Deputy only. [July 9, 1821.]

WHEREAS by an Act of these Islands, passed on the sixteenth Day of September, in the Year one Thousand Eight Hundred and Seven, entitled “An Act for Recording all the Laws that have passed the Legislature of this Government since the eighteenth day of July, One Thousand Eight Hundred and Five, and all the Laws hereafter to be passed; and also all the Proclamations hereafter to be made and issued, in manner therein directed,” it is amongst other Things enacted, that the Entry and Record of each and every of the Acts made and passed since the eighteenth Day of July, One Thousand Eight Hundred and Five, and all further Acts should be forthwith carefully examined and compared with the Originals thereof, under the Great Seal of the Colony, by the President of His Majesty’s Council, the Speaker of the Assembly, and the Secretary or his lawful Deputy: and being by them and every of them duly certified in the said Book to be correct and true, shall be deemed and taken to be as valid as the original Acts, and should be pleadable, and given and received in Evidence in all Courts and Places whatsoever in these Islands,

And whereas, the Examination and Comparison of the Entry and Record of the said Acts with the Originals thereof, in manner required by the said

Preamble.
Recites Act, No. 36.

in part recited Acts, hath been found inconvenient, and several of the said Entries of the said Acts, have been examined by the Deputy Secretary only : And whereas the Correctness of the said Entries, and Record of the said Acts, can be as well ascertained by the Examination and Comparison thereof, with the Originals by the said Secretary, or his lawful Deputy alone, as in conjunction with the said President of the Council, and Speaker of the Assembly.

Clause I.
So much of the before mentioned Act, as relates to the examination and comparison and certifying the record of the Acts of the Legislature repealed.

Be it therefore enacted by your Majesty's most loyal and obedient Subjects, His Excellency Major-General Phineas Riall, Governor and Commander-in-Chief in and over the Island of Grenada and the Grenadines thereto attached, the Honorable the Members of His Majesty's Council, and the Representatives of the People in General Assembly convened : And it is hereby enacted, by Authority of the same, that so much of the said recited Act as relates to the Examination and Comparison and Certifying of the Record of the Acts of the Legislature shall be and is hereby declared to be no longer in force.

Clause II.

The entry and Record of all Acts made and passed since the 18th July, 1805, and which have not been examined and compared by the President of the Council and Speaker of Assembly, to be compared and examined with the originals by the Colonial Secretary or his lawful Deputy, and all Acts that shall in future be passed to be also entered in the said book of records, and carefully examined and compared as before, within thirty days from the passing of such Acts—and the same being by him duly certified shall thenceforth be deemed as valid as the originals and equally pleadable in the Courts of these Islands.

And be it enacted by the Authority aforesaid, that the Entry and Record of each and every of the said Acts, made and passed since the eighteenth Day of July, One Thousand Eight Hundred and Five, which have not been already examined and compared by the President of the Council, and Speaker of the Assembly, in manner and form required by the said Act, shall be carefully compared and examined with the original Acts, under the Great Seal of the Colony, by the Secretary or his lawful Deputy ; and all Acts which shall in future be passed, and be entered in the Book of Records, in manner directed by the said recited Act, shall be carefully examined and compared with the Originals thereof, by the said Secretary or his lawful Deputy, within thirty Days from and after the passing of the said Acts ; and all Acts being by him duly certified in the said Book to be correct and true, shall be deemed and taken to be as valid as the original Acts, and shall be pleadable, and given and received in Evidence in all Courts and Places whatsoever in these Islands.

Clause III.
Declared a public Act.

And be it further enacted and declared, that this Act shall be deemed and taken to be a public Act, and shall be noticed as such, by all Judges, Justices and others whom it may concern.

No. L.

An Act for reviving and making perpetual an Act intituled
"An Act for the more easy Recovery of Seamen's Wages."
[October 9, 1822.]

Preamble.

WHEREAS an Act, intituled "An Act for the more easy recovery of Seamen's Wages,"—dated the twenty-first day of December, One Thousand Eight Hundred and Nineteen, expired some time in the Month of December, which was in the Year of Our Lord One Thousand Eight Hundred and Twenty-one ; And whereas the said Act hath been found by experience to be extremely useful and beneficial, and highly necessary to be revived and made perpetual,

Clause I.
The Act No. 48, entitled "An Act for the more easy recovery of Seamen's Wages," revived re-enacted, and made perpetual.

Be it therefore enacted by His Excellency Phineas Riall, Esquire, Governor and Commander-in-Chief in and over the Island of Grenada, and such of the Islands commonly called the Grenadines as lie to the Southward of the Island of Carriacou, including that Island, the Members of His Majesty's Council and the General Assembly of these Islands : And it is hereby enacted by the Authority aforesaid, that the said Act intituled, "An Act for the more easy recovery of Seamen's Wages," and every Matter, Clause and Thing therein contained be revived, re-enacted, and made perpetual, and that the said Act contained to the contrary thereof in any

No. LI.

An Act for the Relief and Subsistence of Debtors confined in Prison on Executions, and to oblige such Debtors to make a Disclosure of their Property, and deliver up the same for the Benefit of their Creditors. [July 12, 1823.]

Revived and made perpetual by No. 61.

WHEREAS many Persons being in distressed circumstances, and unable to pay the whole of their Debts, may be imprisoned in the Common Gaol of this Island, by Process issuing out of the Supreme Court of Judicature, and may, during the time of such imprisonment, be in great danger of perishing through want, unless some provision be made for their support; Be it therefore enacted by His Honor George Paterson, Esquire, President and Commander-in-Chief in and over the Island of Grenada and its Dependencies, the Members of His Majesty's Council, and the Representatives of the People in General Assembly convened; and it is hereby enacted and ordained by Authority of the same, That when any Person or Persons shall be imprisoned in the Common Gaol of this Island, by virtue of any legal Process of Execution issuing out of the Supreme Court of Judicature, for any Debt or Debts not exceeding in the whole, One Hundred Pounds Current Money of the Island, exclusive of Costs, at the Suit of any Creditor or Creditors, such Person or Persons, on application to the said Court, or any Justice thereof, shall be entitled to be paid by such of his Creditors as shall detain him or them in Prison, in due proportion, according to the amount of their respective demands, if more than one, and if by one Creditor only, then by such one Creditor, Seven Shillings Current Money of the said Island per Week, such Payment to be duly and punctually made every Monday in every Week, at the said Common Gaol: and on failure thereof, the Person or Persons so imprisoned, on giving three Days' Notice in writing to such Creditor or Creditors, who shall fail to make Payment as aforesaid, of his or their intention to apply to the Supreme Court of Judicature, to be discharged, shall, on application by Petition, or otherwise, be brought before the said Court, and on due proof being made to the said Court of the non-payment of such weekly allowance, as aforesaid and on such notice as aforesaid, he or they shall be discharged by the said Court from imprisonment, by virtue of the Execution or Executions, at the Suit of the Creditor or Creditors so making Default in the Payment aforesaid, under which he or they was or were confined; and the same shall be deemed released for ever as against the person of the Debtor; and the Provost Marshal General, or his lawful Deputy, is hereby required, on having such Order and a Copy thereof left with him, to discharge the Debtor or Debtors without taking any Fee, or detaining him for any Fee herein-before claimed or due to the Provost Marshal General, or Keeper employed by the said Provost Marshal General; Provided always that such Discharge shall not extend to the Execution or Executions of any Creditor or Creditors complying with the Provisions of this Act, nor to any other process under which any Debtor or Debtors may be also confined; Provided also, that the Person or Persons so imprisoned shall, within six days after his or their imprisonment, make out a full Account, or Schedule, of all the real and personal Estate which he or they, or any Person in trust, in any manner for him or them is or are entitled, and of all Debts due and owing to him or them, in order that the same may be levied on and taken in satisfaction of his or their Debts, and shall also make Oath before one of the Justices of the Supreme Court, that he or they is or are, not possessed of, or entitled to, any other real or personal Estate, Effects, Monies, or Debts, than that are contained in the said Schedule, above the value of Five Pounds Current Money of the said Island, save and except his or their Wearing Apparel and Tools and Instru-

Preamble.

Clause I.
Persons imprisoned for debt in the Common Gaol not exceeding £100 Currency exclusive of Costs, shall, upon application to the Court or any Justice thereof, be entitled to receive from such Creditors as detain them, Seven Shillings Currency per Week, to be punctually paid every Monday at the Gaol.

And on failure of such payment, the Party imprisoned upon giving three days' notice in writing to the Creditors of his intention, may apply to the Court, and on proof of the non-payment be discharged from such debt as against his person, for ever.

Provost-Marshal upon receiving such order, to discharge the Debtor without fees.

Such discharge not to extend to the Executions of Creditors complying with the provisions of this Act, or to any other process, under which Debtors may be confined. Provided the parties so imprisoned make out within six days thereafter upon oath, a Schedule of all their real and personal estate, in order that the same be levied on in satisfaction of their debts.

Property to the amount of £5 currency, together with wearing apparel, and the tools or instruments of trade to be retained.

Debtors secreting, transferring, or conveying property, or not making a full and fair disclosure of their estate, not to be entitled to any provision, and if indicted and convicted of Perjury, to suffer the pains and penalties usually inflicted for the same, and may be taken in Execution de novo, and never after have the benefit of this Act.

Clause II.

Clause II.
Persons now charged in Execution for any sum not exceeding £100 currency, exclusive of Costs, shall upon complying with the provisions of this Act, be entitled to the benefits thereof, upon making out the

ments of Trade ; and provided also, that if any Debtor or Debtors shall fraudulently secrete, transfer or convey, in trust or otherwise, any part of his or their real or personal Estate and Effects, or Debts, or if the said Schedule shall not contain a full and fair disclosure of the whole of his or their real and personal Estate and Effects, and Debts, then and in that case, he or they shall not be entitled to any Provision for his or their Subsistence, by virtue of this Act ; Provided also, that if any Person or Persons who shall take any Oath, by this Act required to be taken, shall upon any Indictment for Perjury be convicted, by his, her, or their own Confession, or by verdict of twelve lawful Men, the Person so convicted shall suffer the Pains and Forfeitures which, by law, are to be inflicted on any Person convicted of wilful Perjury, and shall likewise be liable to be taken on any Process *de novo*, and charged in Execution for the said Debt, in the same manner as if he or she had not been discharged, or not taken or charged in Execution before, and shall never after have the Benefit of this Act, any thing herein before contained to the contrary notwithstanding.

And be it enacted by the Authority aforesaid, that every Person or Persons who may be now charged on Execution for any sum not exceeding One Hundred Pounds Current Money of this Island, exclusive of Costs, shall from and after the passing of this Act be entitled to the Relief and Benefit thereof; provided he or they shall comply with the Provisions of the same by making out the Schedule or Account as herein-before required within twelve Days from the Date thereof.

Preamble.

And whereas, it might tend greatly to the relief of certain Debtors in Execution for small Debts, and at the same time occasion no material prejudice to Trade and Public Credit, if such Debtors should after a limited period of imprisonment, be allowed the benefit of a discharge therefrom, the Creditors at whose Suit they were so in Execution, being at the same time authorized to take out other Writs of Execution against the Estate and Effects of such Debtors or to use any other Remedy for the satisfaction of their Debts as if the persons of their Debtors had not been taken in Execution; Be it therefore enacted by the Authority aforesaid, That from and after the passing of this Act, all Persons in Execution upon any Judgment in whatsoever Court obtained for any Debt or Damages not exceeding the Sum of Fifty Pounds Current Money of this Island, exclusive of the Costs recovered by such Judgment, and who shall have laid in Prison for the space of six successive calendar Months next before the time of their application to be discharged as hereinafter mentioned, shall and may upon his or their application for that purpose made to the Supreme Court of Judicature to the satisfaction of such Court, be forthwith discharged out of Custody as to such Execution, by the Rule or Order of the said Court; Provided always, that if it shall happen that any such discharge shall have been unduly or fraudulently obtained upon any false Allegation or Circumstances which if true might have entitled the Prisoner to be discharged by virtue of this Act, such Prisoner shall upon the same being made to appear to the satisfaction of the Court by whose Rule or Order the said Prisoner had been so discharged, be liable to be again taken in Execution, and remanded to his former Custody by the Rule or Order of the same Court; Provided also, that the Provost Marshal General, or Gaoler, or other Person, shall not be liable as for the escape of any Prisoner in respect of such enlargement during such time as he shall have been at large by means of such his undue discharge as aforesaid.

Class IV.

Clause IV.
The Judgment
whereon the Ex-
ecutions issued
against any Debtor
shall continue in
force, notwithstanding
his discharge,
and other Execu-

And be it enacted by the Authority aforesaid, that notwithstanding the Discharge of any Debtor or Debtors detained in Execution by virtue of any of the provisions of this Act, the Judgment whereon the said Execution issued shall still continue in force, save as against the Person of the Debtor, and that it shall and may be lawful for any Creditor to sue out another Execution thereon, against the Estate and Effects of such Debtor. Provided

always, that the necessary Wearing Apparel and Bedding of any Debtor, and the Tools and Instruments of Trade, not exceeding in value twenty-five Pounds, of Current Money of the said Island, shall not be liable thereto; and it shall and may be likewise lawful for any Creditor or Creditors, to bring any Action on the said Judgment against the Debtor, but not so as to make the person of the said Debtor again liable thereto, or to bring an Action, or use any other remedy for satisfaction of his or their Demand, against all other Persons liable thereto in like manner, as if the person of the said Debtor or Debtors, had not originally been taken in Execution; Provided always, that no proceeding by Scire Facias, or otherwise, shall be maintained against the bail in any Action, wherein the Defendant shall have been charged in Execution, and afterwards discharged as aforesaid, by virtue of this Act.

And be it enacted by the Authority aforesaid, That no Fee whatever shall be demanded or taken from any Debtor or Debtors applying for and taking the Benefit of this Act, for any Matter or Thing to be done by virtue of this Act.

And be it enacted by the Authority aforesaid, That this Act shall continue and be in force for the term and space of two Years, from the publication thereof, and shall be deemed and taken to be a public Act, which all Judges, Justices and others are required to notice accordingly.

tions may issue against his Estate, excepting his wearing apparel, tools of his trade, &c., not exceeding in value £25 currency; but his person not to be again liable by any action brought on the same Judgments, nor any proceedings to be maintained against the Bail in Actions where the Defendant had been charged in Execution, and afterwards discharged by virtue of this Act.

Clause V.
No fee whatever to be taken from any Debtor taking the benefit of this Act.

Clause VI.
Declared a public Act and to be in force for two years.

No. LII.

An Act to repeal part of the eighth Clause of an Act, intituled "An Act for reducing into one Act of the Legislature, the several Laws relating to the Port and Harbour of Grenville, in the Parish of St. Andrew, in the Island of Grenada, and for the better and more effectually preserving the same, and for appointing Commissioners for that purpose, and for raising funds for defraying the expenses thereof, and for repealing all other Acts and Clauses of Acts, relating thereto, and for other purposes therein mentioned," as far as relates to the rates paid upon produce, and for substituting other rates in lieu thereof. [December 22, 1824.]—Left to its operation by Order in Council, dated 5th February, 1827.

WHEREAS, by the eighth Clause of an Act of these Islands, made and passed upon the thirty-first day of July, that was in the Year One Thousand Eight Hundred and One, intituled, "An Act for reducing into one Act of the Legislature the several Laws relating to the Port and Harbour of Grenville in the Parish of Saint Andrew, in the Island of Grenada, and for the better and more effectually preserving the same, and for appointing Commissioners for that purpose, and for raising funds for defraying the expenses thereof, and for repealing all other Acts and Clauses of Acts relating thereto, and for other purposes therein mentioned," it is among other things provided, that certain Rates and Taxes should be annually assessed and raised upon the produce which shall be shipped, or in any wise water-borne within the limits of the River Antoine, with the several Estates in the Parish of St. Patrick bounding on the said River Antoine, the Port and Bay of St. Andrew inclusive, at or from the said Port of Grenville, from and after the publication of this Act,—whether the same be sent to Europe or elsewhere abroad, or be sent coast-wise; And whereas it is by the same in part recited Clause also provided, in respect to the Rates upon all ships or other vessels (Droghers excepted), trading to the said Harbour, that one half of the aforesaid Rates respectively upon all produce of these Islands,

Preamble.
Recites Act, No. 34.

laden, or to be laden, on board such Ships or Vessels, is to be paid by the Master or Masters, Owner or Owners, or other Person, on their behalf, to the Treasurer, on all produce whatsoever, within the limits above mentioned, in like manner as is herein directed. And whereas such the said provisions of the aforesaid Clause, are found to bear in an unjust and oppressive manner upon properties within the limits aforesaid, that by reason of the produce thereof not being shipped on board any of the Ships or Vessels in the said Port, to proceed direct for Europe, do not benefit by the Port Regulations, but, on the contrary, have, in addition to the Rates and Assessments thereby imposed, a heavy Drogherage charge to pay, and that the Rates and Charges raised and levied upon the Ships and Vessels trading to the said Port, do not bear an adequate proportion either to the said Tax imposed upon produce when so shipped, or to the advantages derived by such Ships or Vessels in trading to the Harbour, and it is necessary that the same should be repealed;

Clause I.
Such parts of the
said 8th Clause
therefore repealed.

Be it therefore enacted, by His Honor George Paterson, Esquire, President and Commander-in-Chief in and over the Island of Grenada and its Dependencies, the Members of His Majesty's Council, and the House of Assembly of the said Island, that such parts of the eighth Clause of the Act aforesaid, as relate to the Rates and Taxes to be annually assessed upon produce shipped at or from the said Port of Grenville, or water-borne within the limits of the River Antoine, with the Estates bounding thereon, and the Port and Bay of Saint Andrew inclusive, and to the Rates upon Ships or Vessels trading to the said Harbour, be and they are hereby repealed, and declared to be no longer in force.

Clause II.
Rates of taxation or
duty upon produce
shipped at the Port
and Harbour of
Grenville, in future.

In what proportion
to be paid by Ma-
sters and Vessels
respectively.

And be it enacted by the Authority aforesaid, That it shall and may be lawful for the Commissioners of the said Port and Harbour of Grenville, to impose an annual Tax upon produce shipped at the said Port in any Ship or Vessel bound direct for a Port in Great Britain, or any Foreign Port which it is now, or may hereafter be, lawful to clear out for, at and after, but not to exceed the following Rates, that is to say; For every hogshead of Sugar, three shillings; for every puncheon of Rum or of Molasses, two shillings; for every tierce of Sugar, Coffee, and Cocoa, two shillings; for every barrel of Sugar, Coffee, and Cocoa, nine pence; for every bale of Cotton, two shillings; for every bag of Coffee, Cotton, and Cocoa, nine pence; for every hogshead of Rum, Lime-juice, and Shrub, nine pence; and the same aforesaid Rates respectively, shall also be paid by the Master or Masters, Owner or Owners, or Persons acting in their behalf, of all Ships or other Vessels (Droghers excepted) trading to the said Harbour, upon the produce they shall take on board as lading in the said Port, in manner directed by the Act aforesaid.

Clause III.
Produce shipped on
board Droghers, for
the purpose of being
transhipped to some
vessel or vessels in
the Port of Saint
George trading to
Great Britain, or
any Foreign Port,
not to be liable to
the Port Tax.

And be it enacted, by the Authority aforesaid, That the produce shipped in the said Harbour on board of Droghers proceeding coastwise, for the purpose of being transhipped to some other Vessel or Vessels trading direct from the Port of St. George to Great Britain, or any Foreign Port, or other Colony, shall not be liable to, nor charged with the Port Tax or annual Rate aforesaid, thereon, nor shall such produce when water-borne within the limits of the River Antoine and St. Andrew's Bay inclusively, for the aforesaid purpose, be liable to, or charged with, any of the Rates or Taxes aforesaid, anything to the contrary thereof in any wise notwithstanding.

Clause IV.
Nothing herein to
be construed as in-
terfering with the
powers and autho-
rity of the Commis-
sioners, or as alter-
ing any other part
of the said 8th
Clause.

And be it also enacted, by the Authority aforesaid, That nothing in this Act contained, shall be construed to abridge or interfere with the powers and authority of the Commissioners or Treasurer of the said Harbour, nor to alter, abrogate, nor repeal, any other of the provisions and enactments of the before-mentioned eighth Clause of the said in part recited Act, save and except, as to the Rates and Assessments thereby imposed upon the produce shipped in the said Harbour, and upon the Ships or Vessels trading thereto, and receiving the same,

And be it further enacted, by the Authority aforesaid, That this Act shall be deemed and taken to be a public Act, and shall be noticed as such by all Judges, Justices, and others, whom it may concern.

Clause V.
Declared a public
Act.

No. LIII.

An Act to repeal so much of the Act intituled, "An Act to reduce into one Act, all the Laws now in force relating to the Establishment and Regulation of the Militia in the Islands of Grenada and Carriacou, and to that end to repeal the said Laws, and to substitute, in their stead and place, this present Act," in so far as relates to the days of meeting, or muster of the several Regiments, and of the Troop of Light Dragoons. [April 9, 1825.]—Left to its operation by Order in Council, dated 5th February, 1827.

No. LIV.

An Act for separating the Parishes of Saint John and Saint Mark, from the Parish of Saint George, and the Parish of Saint Patrick, from the Parishes of Saint Andrew and Saint David, and for providing a Salary for the Minister to be appointed to the Benefice of the united Parishes of Saint John and Saint Mark. [13th September, 1825.]

WHEREAS, by the second Clause of an Act of these Islands, made and passed upon the Eleventh day of December One Thousand Eight Hundred

and Seven, intituled, "An Act to repeal an Act for providing a support for the Clergy of these Islands, an Act to supply the defects of former Parish Registers, to compel the due and orderly keeping thereof in future, to prevent the celebration of Marriage otherwise than is therein directed, and to prescribe how Persons professing the Roman Catholic Religion may have their Baptisms, Marriages and Burials, duly entered in the Parish Registers of the Established Church," and "An Act to amend so much of an Act, intituled An Act for providing a support for the Clergy of these Islands," as relates to the Town and Parish of Saint George, and to provide a support for the Clergy of this Government, and other purposes, it is enacted, that the said Island of Grenada, instead of being divided into four Benefices or Cures, should, from the publication of the Act now in recital, be divided into two Benefices or Cures for the said Island of Grenada, to comprehend the Parishes, and be distinguished and ascertained in the manner following, that is to say: the first of the said two Benefices or Cures to comprehend the Parishes of Saint George, Saint John, and Saint Mark, the Rector of which should, and was thereby required and enjoined to reside at the Town of Saint George, and on the second Sunday of each and every calendar Month, to perform Divine Service at the Parish Church in Charlotte Town, for the Parishes of Saint John and Saint Mark, and the remaining Sundays in each and every calendar Month, to perform Divine Service in the Parish Church of the Town of Saint George; and the second Benefice or Cure to comprehend the Parishes of Saint Patrick, Saint Andrew, and Saint David, the Rector of which, should, and was thereby required and enjoined to reside within the Parish of Saint Andrew, and should perform Divine Service on the first Sunday of each and every ca-

Preamble.

Recites the second Clause of the Act No. 37, passed upon the 11th Dec., 1807, for providing a support for the Clergy of these Islands, &c., by which the Island of Grenada instead of being as theretofore divided into four Benefices, is formed into two such Benefices or Cures.

And also part of an Act (No. 42.) (to alter and amend the former) of the 20th March, 1813, as far as relates to the provisions for fixing the residences of the Rectors, production and lodging of Certificates previous to payment of their Salaries, &c., being repealed.

lendar Month, at some convenient place in the Parish of Saint David, and on the third Sunday of each and every calendar Month, at some convenient place in the Parish of Saint Patrick; and the remaining Sundays in each and every calendar Month, at some convenient place in the Parish of Saint Andrew: And whereas, by an Act of these Islands, made and passed upon the twentieth day of March, One Thousand Eight Hundred and Thirteen, intituled, "An Act to alter and amend certain parts of an Act, made and passed in the Forty Eighth Year of the Reign of his present Majesty, for providing a support for the Clergy of this Government," and other purposes therein mentioned, commonly called the Clergy Act, and being the Act hereinbefore referred to, it is enacted, that from and after the publication of the now reciting Act, so much of the Act hereinbefore referred to, as relates to the fixing the residence of the said several Rectors, and the production and lodging of Certificates of residence, previous to the payment of their respective Salaries by the Public Treasurer, should be, and the same was thereby declared to be thenceforth no longer in force; And whereas, it hath been deemed necessary and expedient, that the number of Benefices or Cures within the Island of Grenada, be increased to four:

Clause I.

So much of the first recited Act as respects the Beneficed division of the Island, repealed.

Be it therefore enacted, by His Honor George Paterson, Esquire, President and Commander-in-Chief in and over the Island of Grenada and its Dependencies, the Honorable the Members of His Majesty's Council, and the representatives of the people of the said Island and its Dependencies: And it is hereby enacted by the Authority of the same, That so much of the first hereinbefore recited Act, as enacts, that the said Island of Grenada, instead of being divided into four Benefices or Cures, should, from the publication of the now reciting Act, be divided into two Benefices or Cures, for the said Island of Grenada, to comprehend the parishes, and be distinguished and ascertained in manner therein mentioned, and that the Rector of the first mentioned Benefice, should, on the second Sunday of each and every Month, perform Divine Service at the place therein mentioned, and the remaining Sundays in each and every calendar Month, to perform Divine Service in the parish Church of the Town of Saint George: and the second Benefice or Cure to comprehend the parishes therein also mentioned, and the Rector of which said second Benefice, should perform Divine Service at the times and places therein also mentioned, and set down, shall be, and the same is hereby repealed.

Clause II.
Four Benefices or Cures established in the Island. How formed.

Ministers whose Benefice or Cure shall comprehend two Parishes, to perform Divine Service alternately at each.

And be it further enacted by the Authority aforesaid, That four Benefices or Cures for the Island of Grenada shall be established, which said Benefices or Cures, shall comprehend the Parishes to be distinguished and ascertained in the following manner, that is to say: the Town and Parish of Saint George, shall form one Benefice or Cure, and be under the charge of one Minister; the united Parishes of Saint David and Saint Andrew, shall form one other Benefice or Cure, under the charge of one other Minister, to officiate alternately at the Parish Churches or other places appointed for Public Worship, in the said two Parishes respectively; the Parish of Saint Patrick shall form one other Benefice or Cure, under the charge of one other Minister; and, the Parishes of Saint John and Saint Mark shall form one other Benefice or Cure, under the charge of one other Minister.

Clause III.
Rector of the united Parishes of St. John and St. Mark, placed upon the same Salary, &c., as the other beneficed Clergymen of the Colony.

And be it further enacted by the Authority aforesaid, That the Minister of the united Parishes of Saint John and Saint Mark, shall receive out of the Public Treasury of these Islands, at the rate of Six Hundred and Sixty Pounds Current Money per annum, payable half yearly, as a Stipend or Salary, during his residence; and shall be intituled to receive and take such and the like Fees as are by the herein-before in part recited Act appointed to be taken by the then officiating Clergymen of the said Islands in their respective Benefices or Cures, and have and enjoy the like powers and remedies for the recovery thereof, in case of non-payment.

Clause IV.

And be it further enacted, by the Authority aforesaid, That the Ministers

of the Parish of Saint Patrick, and of the united Parishes of Saint John and Saint Mark, shall from and immediately after they shall be respectively and duly instituted and inducted into their said respective Benefices, be authorized and required, to transact, manage and perform, in their respective Benefices, all such and the like ceremonies as the Rector of any one of the Cures in the said recited Act mentioned, could, or might lawfully do and perform, or was required to do and perform under and by virtue of the said recited Act, it being the true intent and meaning of this Act, to invest the Ministers of the Parish of Saint Patrick, and of the united Parishes of Saint John and Saint Mark, respectively, with such and the like powers and authorities as the Rectors or Rector of any one of the Cures mentioned in the said recited Act of the Eleventh of December, One Thousand Eight Hundred and Seven had or have by virtue of that Act, as fully and effectually as if they had been appointed Rectors under and by virtue of that Act; Provided always, that nothing herein contained, shall be construed to deprive the Ministers filling the Benefices or Cures established by the said recited Act of the Eleventh of December, One Thousand Eight Hundred and Seven, of their respective rights of acting as Rectors in the respective Benefices of Saint George, and of the united Parishes of Saint Andrew and Saint David, as Ministers of the same, under the provisions contained in this Act.

And be it further enacted by the Authority aforesaid, That it shall and may be lawful for the Treasurer, or his lawful Deputy for the time being, and he is hereby authorized and required, to appropriate so much of the surplus of the Monies collected and raised by virtue of the rate and tax imposed by the hereinbefore in part recited Act of these Islands, made and passed upon the Eleventh day of December, One Thousand Eight Hundred and Seven, towards payment of the Salary or Stipend made payable by this Act, as and when the same shall become due and payable, any thing in the last-mentioned Act to the contrary thereof in anywise notwithstanding: and in case it should happen, that the aforesaid Fund should be inadequate to the payment of the Salaries or Stipends by the last-mentioned Act or herein made payable, it shall and may be lawful for the Treasurer, or his lawful Deputy, and he is hereby authorized and required, to pay the deficiency out of any unappropriated Monies which may be in his hands.

Clergymen appointed to the Parishes of St. Patrick, and of St. John and Saint Mark, after being duly inducted, to have all the rights and authorities belonging to their situation as Rectors of such Parishes, the same as if appointed under the former Acts.

Clause V.
Treasurer to pay the Stipend made payable by this Act, out of the surplus of monies to be raised under authority of the Clergy Act.

Or out of any other un-appropriated monies that may be in his hands.

No. LV.

An Act to declare the Ecclesiastical Laws and Canons, now in force, in England, in so far as they relate to the Ecclesiastical Regimen of the Clergy, in force in these Islands. [14th March, 1826.]—Left to its operation by Order in Council, dated 14th March, 1827.

WHEREAS, the King's most Excellent Majesty, hath been graciously pleased by letters Patent under the Great Seal of the United Kingdom of Great Britain and Ireland, to erect, found, ordain, make and constitute the Islands of Barbados, Grenada, St. Vincent, Dominica, Antigua, Montserrat, St. Christopher, Nevis, and the Virgin Islands, Trinidad, Tobago and St. Lucia, and their respective dependencies, to be a Bishop's See, and to be called from henceforth, the Bishopric of Barbados and the Leeward Islands; and his said Most Excellent Majesty, hath, by the same Letters Patent, named and appointed William Hart Coleridge, Doctor in Divinity, to be Bishop of the said See: And whereas, in order the better to give effect to the powers and authorities vested in the said Lord Bishop of Barbados and the Leeward Islands, so appointed, and his successors in the See; and that he and they

Preamble.

assent thereto be signified in the Island. Force until His Majesty's Assent thereto be duly signified in this Island of Grenada.

Assented to by Order in Council dated 23rd Dec., 1819, and such assent signified in Grenada, 7th March, 1820.

No. XLVIII.

Vide Act, No. 50. An Act for the more easy Recovery of Seamen's Wages. [Dec. 21, 1819.]

Preamble.

WHEREAS, it is expedient to provide a more suitable and expeditious mode of recovering the Wages due and payable to Seamen, Sailors, or Persons serving on board Merchant Vessels, than by a Suit in Admiralty, or at Common Law, the Proceedings in these Courts being expensive, and tending to delay.

Clause I.
Complaint being made upon oath, to the Judge of the Court of Vice-Admiralty, or to two or more Justices of the Peace, by any Person serving on board of a merchant vessel, respecting the withholding of Wages due on such account:—the Judge or Justices to summon the Owner, Master, or Person having charge of the Vessel to appear, and such Summons to be served personally, or a copy left on board the Vessel, 24 hours before the time of appearance.

Parties to be examined upon oath, relative to the said charge.

After hearing and examining both parties, the Judge or Justices to award what wages shall appear to be due, which, with all expenses attending the complaint, to be paid within 48 hours after the award,—in failure whereof a Warrant to be issued to the Provost-Marshal-General for the apprehension and imprisonment of the Defendant until payment be made, or to levy the amount on the Furniture of the Vessel, or on the goods, wares and merchandize on board, and sell the same at public outcry, after once advertising to such effect.

Be it therefore enacted by His Honor Andrew Houstoun, Esquire, President of the Council, and Commander-in-Chief in and over the Island of Grenada and the Grenadines thereto attached, the Members of His Majesty's Council, and the General Assembly of the said Island, That upon Complaint made upon Oath to the Judge of the Court of Vice-Admiralty, or any two or more of His Majesty's Justices of the Peace within this Government, by any Seaman, Sailor, or other Person serving on board any Merchant Ship or Vessel, touching the Wages due or payable to such Seaman, Sailor, or other Person on board thereof, or the amount or rate of such Wages, and the withholding or non-payment thereof, it shall and may be lawful to and for such Judge or Justices of the Peace, to issue a Warrant or Summons, directed to such Owner, Master, or Person in charge of the Ship or Vessel to which such Seaman, Sailor, or Person so serving shall belong; shortly stating the cause or nature of such Complaint, and requiring the appearance of such Owner, Master, or Person so in charge, to answer thereto; and the service of such Warrant or Summons may be made personally, or by leaving a Copy thereof on board such Ship or Vessel, twenty-four Hours before the time of appearance; and on hearing and determining such Complaint, the Parties shall and may be examined upon Oath, to prove or disprove the same, as well as all other Matters relating thereto; and such Judge or Justices is and are hereby authorized to put all such Questions as he or they may think proper, and to require each Party to produce all and every the Contract, Articles, or Agreement in Writing, between the Parties, Complainant and Defendant, in their, or any of their Custody and Power, or in Default of the production thereof, to hear parole Evidence of the contents thereof, and after hearing both Parties, such Judge or Justices shall, forthwith, award whether any or what Wages, and at what Rate, are due to the Complainant; and in case of the non-payment thereof, within forty-eight Hours after the award, and all Expenses attending such Complaint, such Judge or Justices shall further issue his or their Warrant, shortly stating the nature or cause of Complaint, and his or their Awards thereon, to be directed to the Provost Marshal of Grenada, or his lawful Deputy, requiring him to take the Body of, and imprison such Owner, Master, or other Person in charge of such Ship or Vessel, until Payment of such Award, and all Costs, or otherwise levy the amount thereof on the Tackle, Guns, Boats, or Rigging, belonging to the said Ship or Vessel, or upon any Goods, Wares, or Merchandize, to be found on board thereof, and to sell the said Tackle, Guns, Boats, Rigging, or Goods, by public Outcry, in the most public Place of the Town, nearest to which such Ship or Vessel may lie, after once advertising the same for Sale, in the public Gazette or Newspaper.

Clause II.

And be it further enacted, by the authority aforesaid, That on hearing

and determining every and each such Complaint, mutual Credit shall be given and allowed, and the Balance only shall be awarded due, and levied for as hereinbefore directed.

And be it further enacted, by the authority aforesaid, That in case any Owner, Master, or other Person so in charge as aforesaid, shall neglect or refuse to appear before such Judge or Justices as aforesaid, or to answer such Complaint, then, upon due Proof of the service of such Warrant or Summons, personally, or of a copy thereof being left on board the Ship or Vessel to which such Seaman, Sailor, or other Person so serving, may or did belong, it shall and may be lawful to and for such Judge, or Justices, to proceed to hear and determine such Complaint, and make such Award, and issue such Execution as is herein-before directed, in the same manner and to all Intents and Purposes as if the Party Defendant had appeared, pursuant to such Warrant or Summons, or answered such Complaint, and provided further, that after making his Award, such Judge or Justices shall, and they are hereby authorized to hold the Party Defendant to Bail, for securing payment of the sum awarded, within forty-eight Hours after making such Award as aforesaid.

And be it enacted by the Authority aforesaid, That this Act shall be deemed and taken to be a Public Act, during the time of its continuing in force, which shall be for the space and term of two Years, from the date hereof, and no longer.*

Mutual credit to be allowed between the Parties, and the balance only to be awarded and levied for.

Clause III. Defendant neglecting or refusing to appear, the Judge or Justices, upon proof of the service of the summons, may proceed to hear and determine such Complaint, and make the award, and issue Execution, as before directed, and may hold the Defendant to bail, for securing payment of the sum awarded.

Clause IV. Declared a public Act—but to be in force for two years only.

No. XLIX.

An Act to repeal so much of an Act entitled “An Act for Recording all the Laws that have passed the Legislature of this Government since the eighteenth Day of July, One Thousand Eight Hundred and Five, and also all the Proclamations hereafter to be made and issued, in manner therein directed,” as relates to the Examination of the said Acts by the President of the Council, the Speaker of the Assembly, and the Secretary of the Island, or his lawful Deputy; and to render valid the Examination thereof by the Secretary or his lawful Deputy only. [July 9, 1821.]

WHEREAS by an Act of these Islands, passed on the sixteenth Day of September, in the Year one Thousand Eight Hundred and Seven, entitled “An Act for Recording all the Laws that have passed the Legislature of this Government since the eighteenth day of July, One Thousand Eight Hundred and Five, and all the Laws hereafter to be passed; and also all the Proclamations hereafter to be made and issued, in manner therein directed,” it is amongst other Things enacted, that the Entry and Record of each and every of the Acts made and passed since the eighteenth Day of July, One Thousand Eight Hundred and Five, and all further Acts should be forthwith carefully examined and compared with the Originals thereof, under the Great Seal of the Colony, by the President of His Majesty’s Council, the Speaker of the Assembly, and the Secretary or his lawful Deputy: and being by them and every of them duly certified in the said Book to be correct and true, shall be deemed and taken to be as valid as the original Acts, and should be pleadable, and given and received in Evidence in all Courts and Places whatsoever in these Islands,

And whereas, the Examination and Comparison of the Entry and Record of the said Acts with the Originals thereof, in manner required by the said

Preamble.
Recites Act, No. 36.

* Made perpetual, by Act, No. 50.

assent thereto be signified in the Island. Force until His Majesty's Assent thereto be duly signified in this Island of Grenada.

Assented to by Order in Council dated 23rd Dec., 1819, and such assent signified in Grenada, 7th March, 1820.

No. XLVIII.

Vide Act, No. 50. An Act for the more easy Recovery of Seamen's Wages. [Dec. 21, 1819.]

Preamble.

WHEREAS, it is expedient to provide a more suitable and expeditious mode of recovering the Wages due and payable to Seamen, Sailors, or Persons serving on board Merchant Vessels, than by a Suit in Admiralty, or at Common Law, the Proceedings in these Courts being expensive, and tending to delay.

Clause I.
Complaint being made upon oath, to the Judge of the Court of Vice-Admiralty, or to two or more Justices of the Peace, by any Person serving on board of a merchant vessel, respecting the withholding of Wages due on such account:—the Judge or Justices to summon the Owner, Master, or Person having charge of the Vessel to appear, and such Summons to be served personally, or a copy left on board the Vessel, 24 hours before the time of appearance.

Parties to be examined upon oath, relative to the said charge.

After hearing and examining both parties, the Judge or Justices to award what wages shall appear to be due, which, with all expenses attending the complaint, to be paid within 48 hours after the award,—in failure whereof a Warrant to be issued to the Provost-Marshal-General for the apprehension and imprisonment of the Defendant until payment be made, or to levy the amount on the Furniture of the Vessel, or on the goods, wares and merchandize on board, and sell the same at public outcry, after once advertising to such effect.

Clause II.

Be it therefore enacted by His Honor Andrew Houstoun, Esquire, President of the Council, and Commander-in-Chief in and over the Island of Grenada and the Grenadines thereto attached, the Members of His Majesty's Council, and the General Assembly of the said Island, That upon Complaint made upon Oath to the Judge of the Court of Vice-Admiralty, or any two or more of His Majesty's Justices of the Peace within this Government, by any Seaman, Sailor, or other Person serving on board any Merchant Ship or Vessel, touching the Wages due or payable to such Seaman, Sailor, or other Person on board thereof, or the amount or rate of such Wages, and the withholding or non-payment thereof, it shall and may be lawful to and for such Judge or Justices of the Peace, to issue a Warrant or Summons, directed to such Owner, Master, or Person in charge of the Ship or Vessel to which such Seaman, Sailor, or Person so serving shall belong; shortly stating the cause or nature of such Complaint, and requiring the appearance of such Owner, Master, or Person so in charge, to answer thereto; and the service of such Warrant or Summons may be made personally, or by leaving a Copy thereof on board such Ship or Vessel, twenty-four Hours before the time of appearance; and on hearing and determining such Complaint, the Parties shall and may be examined upon Oath, to prove or disprove the same, as well as all other Matters relating thereto; and such Judge or Justices is and are hereby authorized to put all such Questions as he or they may think proper, and to require each Party to produce all and every the Contract, Articles, or Agreement in Writing, between the Parties, Complainant and Defendant, in their, or any of their Custody and Power, or in Default of the production thereof, to hear parole Evidence of the contents thereof, and after hearing both Parties, such Judge or Justices shall, forthwith, award whether any or what Wages, and at what Rate, are due to the Complainant; and in case of the non-payment thereof, within forty-eight Hours after the award, and all Expenses attending such Complaint, such Judge or Justices shall further issue his or their Warrant, shortly stating the nature or cause of Complaint, and his or their Awards thereon, to be directed to the Provost Marshal of Grenada, or his lawful Deputy, requiring him to take the Body of, and imprison such Owner, Master, or other Person in charge of such Ship or Vessel, until Payment of such Award, and all Costs, or otherwise levy the amount thereof on the Tackle, Guns, Boats, or Rigging, belonging to the said Ship or Vessel, or upon any Goods, Wares, or Merchandize, to be found on board thereof, and to sell the said Tackle, Guns, Boats, Rigging, or Goods, by public Outcry, in the most public Place of the Town, nearest to which such Ship or Vessel may lie, after once advertising the same for Sale, in the public Gazette or Newspaper.

And be it further enacted, by the authority aforesaid, That on hearing

and determining every and each such Complaint, mutual Credit shall be given and allowed, and the Balance only shall be awarded due, and levied for as hereinbefore directed.

And be it further enacted, by the authority aforesaid, That in case any Owner, Master, or other Person so in charge as aforesaid, shall neglect or refuse to appear before such Judge or Justices as aforesaid, or to answer such Complaint, then, upon due Proof of the service of such Warrant or Summons, personally, or of a copy thereof being left on board the Ship or Vessel to which such Seaman, Sailor, or other Person so serving, may or did belong, it shall and may be lawful to and for such Judge, or Justices, to proceed to hear and determine such Complaint, and make such Award, and issue such Execution as is herein-before directed, in the same manner and to all Intents and Purposes as if the Party Defendant had appeared, pursuant to such Warrant or Summons, or answered such Complaint, and provided further, that after making his Award, such Judge or Justices shall, and they are hereby authorized to hold the Party Defendant to Bail, for securing payment of the sum awarded, within forty-eight Hours after making such Award as aforesaid.

And be it enacted by the Authority aforesaid, That this Act shall be deemed and taken to be a Public Act, during the time of its continuing in force, which shall be for the space and term of two Years, from the date hereof, and no longer.*

Mutual credit to be allowed between the Parties, and the balance only to be awarded and levied for.

Clause III. Defendant neglecting or refusing to appear, the Judge or Justices, upon proof of the service of the summons, may proceed to hear and determine such Complaint, and make the award, and issue Execution, as before directed, and may hold the Defendant to bail, for securing payment of the sum awarded.

Clause IV. Declared a public Act—but to be in force for two years only.

No. XLIX.

An Act to repeal so much of an Act entitled “An Act for Recording all the Laws that have passed the Legislature of this Government since the eighteenth Day of July, One Thousand Eight Hundred and Five, and also all the Proclamations hereafter to be made and issued, in manner therein directed,” as relates to the Examination of the said Acts by the President of the Council, the Speaker of the Assembly, and the Secretary of the Island, or his lawful Deputy; and to render valid the Examination thereof by the Secretary or his lawful Deputy only. [July 9, 1821.]

WHEREAS by an Act of these Islands, passed on the sixteenth Day of September, in the Year one Thousand Eight Hundred and Seven, entitled “An Act for Recording all the Laws that have passed the Legislature of this Government since the eighteenth day of July, One Thousand Eight Hundred and Five, and all the Laws hereafter to be passed; and also all the Proclamations hereafter to be made and issued, in manner therein directed,” it is amongst other Things enacted, that the Entry and Record of each and every of the Acts made and passed since the eighteenth Day of July, One Thousand Eight Hundred and Five, and all further Acts should be forthwith carefully examined and compared with the Originals thereof, under the Great Seal of the Colony, by the President of His Majesty’s Council, the Speaker of the Assembly, and the Secretary or his lawful Deputy: and being by them and every of them duly certified in the said Book to be correct and true, shall be deemed and taken to be as valid as the original Acts, and should be pleadable, and given and received in Evidence in all Courts and Places whatsoever in these Islands,

And whereas, the Examination and Comparison of the Entry and Record of the said Acts with the Originals thereof, in manner required by the said

Preamble.
Recites Act, No. 36.

* Made perpetual, by Act, No. 50.

assent thereto be signified in the Island. Force until His Majesty's Assent thereto be duly signified in this Island of Grenada.

Assented to by Order in Council dated 23rd Dec., 1819, and such assent signified in Grenada, 7th March, 1820.

No. XLVIII.

Vide Act, No. 50. An Act for the more easy Recovery of Seamen's Wages. [Dec. 21, 1819.]

Preamble.

WHEREAS, it is expedient to provide a more suitable and expeditious mode of recovering the Wages due and payable to Seamen, Sailors, or Persons serving on board Merchant Vessels, than by a Suit in Admiralty, or at Common Law, the Proceedings in these Courts being expensive, and tending to delay.

Clause I.
Complaint being made upon oath, to the Judge of the Court of Vice-Admiralty, or to two or more Justices of the Peace, by any Person serving on board of a merchant vessel, respecting the withholding of Wages due on such account;—the Judge or Justices to summon the Owner, Master, or Person having charge of the Vessel to appear, and such Summons to be served personally, or a copy left on board the Vessel, 24 hours before the time of appearance.

Parties to be examined upon oath, relative to the said charge.

After hearing and examining both parties, the Judge or Justices to award what wages shall appear to be due, which, with all expenses attending the complaint, to be paid within 48 hours after the award,—in failure whereof a Warrant to be issued to the Provost-Marshal-General for the apprehension and imprisonment of the Defendant until payment be made, or to levy the amount on the Furniture of the Vessel, or on the goods, wares and merchandize on board, and sell the same at public outcry, after once advertising to such effect.

Clause II.

Be it therefore enacted by His Honor Andrew Houstoun, Esquire, President of the Council, and Commander-in-Chief in and over the Island of Grenada and the Grenadines thereto attached, the Members of His Majesty's Council, and the General Assembly of the said Island, That upon Complaint made upon Oath to the Judge of the Court of Vice-Admiralty, or any two or more of His Majesty's Justices of the Peace within this Government, by any Seaman, Sailor, or other Person serving on board any Merchant Ship or Vessel, touching the Wages due or payable to such Seaman, Sailor, or other Person on board thereof, or the amount or rate of such Wages, and the withholding or non-payment thereof, it shall and may be lawful to and for such Judge or Justices of the Peace, to issue a Warrant or Summons, directed to such Owner, Master, or Person in charge of the Ship or Vessel to which such Seaman, Sailor, or Person so serving shall belong; shortly stating the cause or nature of such Complaint, and requiring the appearance of such Owner, Master, or Person so in charge, to answer thereto; and the service of such Warrant or Summons may be made personally, or by leaving a Copy thereof on board such Ship or Vessel, twenty-four Hours before the time of appearance; and on hearing and determining such Complaint, the Parties shall and may be examined upon Oath, to prove or disprove the same, as well as all other Matters relating thereto; and such Judge or Justices is and are hereby authorized to put all such Questions as he or they may think proper, and to require each Party to produce all and every the Contract, Articles, or Agreement in Writing, between the Parties, Complainant and Defendant, in their, or any of their Custody and Power, or in Default of the production thereof, to hear parole Evidence of the contents thereof, and after hearing both Parties, such Judge or Justices shall, forthwith, award whether any or what Wages, and at what Rate, are due to the Complainant; and in case of the non-payment thereof, within forty-eight Hours after the award, and all Expenses attending such Complaint, such Judge or Justices shall further issue his or their Warrant, shortly stating the nature or cause of Complaint, and his or their Awards thereon, to be directed to the Provost Marshal of Grenada, or his lawful Deputy, requiring him to take the Body of, and imprison such Owner, Master, or other Person in charge of such Ship or Vessel, until Payment of such Award, and all Costs, or otherwise levy the amount thereof on the Tackle, Guns, Boats, or Rigging, belonging to the said Ship or Vessel, or upon any Goods, Wares, or Merchandize, to be found on board thereof, and to sell the said Tackle, Guns, Boats, Rigging, or Goods, by public Outcry, in the most public Place of the Town, nearest to which such Ship or Vessel may lie, after once advertising the same for Sale, in the public Gazette or Newspaper.

And be it further enacted, by the authority aforesaid, That on hearing

and determining every and each such Complaint, mutual Credit shall be given and allowed, and the Balance only shall be awarded due, and levied for as hereinbefore directed.

And be it further enacted, by the authority aforesaid, That in case any Owner, Master, or other Person so in charge as aforesaid, shall neglect or refuse to appear before such Judge or Justices as aforesaid, or to answer such Complaint, then, upon due Proof of the service of such Warrant or Summons, personally, or of a copy thereof being left on board the Ship or Vessel to which such Seaman, Sailor, or other Person so serving, may or did belong, it shall and may be lawful to and for such Judge, or Justices, to proceed to hear and determine such Complaint, and make such Award, and issue such Execution as is herein-before directed, in the same manner and to all Intents and Purposes as if the Party Defendant had appeared, pursuant to such Warrant or Summons, or answered such Complaint, and provided further, that after making his Award, such Judge or Justices shall, and they are hereby authorized to hold the Party Defendant to Bail, for securing payment of the sum awarded, within forty-eight Hours after making such Award as aforesaid.

And be it enacted by the Authority aforesaid, That this Act shall be deemed and taken to be a Public Act, during the time of its continuing in force, which shall be for the space and term of two Years, from the date hereof, and no longer.*

Mutual credit to be allowed between the Parties, and the balance only to be awarded and levied for.

Clause III. Defendant neglecting or refusing to appear, the Judge or Justices, upon proof of the service of the summons, may proceed to hear and determine such Complaint, and make the award, and issue Execution, as before directed, and may hold the Defendant to bail, for securing payment of the sum awarded.

Clause IV. Declared a public Act—but to be in force for two years only.

No. XLIX.

An Act to repeal so much of an Act entitled “An Act for Recording all the Laws that have passed the Legislature of this Government since the eighteenth Day of July, One Thousand Eight Hundred and Five, and also all the Proclamations hereafter to be made and issued, in manner therein directed,” as relates to the Examination of the said Acts by the President of the Council, the Speaker of the Assembly, and the Secretary of the Island, or his lawful Deputy; and to render valid the Examination thereof by the Secretary or his lawful Deputy only. [July 9, 1821.]

WHEREAS by an Act of these Islands, passed on the sixteenth Day of September, in the Year one Thousand Eight Hundred and Seven, entitled “An Act for Recording all the Laws that have passed the Legislature of this Government since the eighteenth day of July, One Thousand Eight Hundred and Five, and all the Laws hereafter to be passed; and also all the Proclamations hereafter to be made and issued, in manner therein directed,” it is amongst other Things enacted, that the Entry and Record of each and every of the Acts made and passed since the eighteenth Day of July, One Thousand Eight Hundred and Five, and all further Acts should be forthwith carefully examined and compared with the Originals thereof, under the Great Seal of the Colony, by the President of His Majesty's Council, the Speaker of the Assembly, and the Secretary or his lawful Deputy: and being by them and every of them duly certified in the said Book to be correct and true, shall be deemed and taken to be as valid as the original Acts, and should be pleadable, and given and received in Evidence in all Courts and Places whatsoever in these Islands,

And whereas, the Examination and Comparison of the Entry and Record of the said Acts with the Originals thereof, in manner required by the said

Preamble.
Recites Act, No. 36.

in part recited Acts, hath been found inconvenient, and several of the said Entries of the said Acts, have been examined by the Deputy Secretary only : And whereas the Correctness of the said Entries, and Record of the said Acts, can be as well ascertained by the Examination and Comparison thereof, with the Originals by the said Secretary, or his lawful Deputy alone, as in conjunction with the said President of the Council, and Speaker of the Assembly.

Clause I.
So much of the before mentioned Act, as relates to the examination and comparison and certifying the record of the Acts of the Legislature repealed.

Be it therefore enacted by your Majesty's most loyal and obedient Subjects, His Excellency Major-General Phineas Riall, Governor and Commander-in-Chief in and over the Island of Grenada and the Grenadines thereto attached, the Honorable the Members of His Majesty's Council, and the Representatives of the People in General Assembly convened : And it is hereby enacted, by Authority of the same, that so much of the said recited Act as relates to the Examination and Comparison and Certifying of the Record of the Acts of the Legislature shall be and is hereby declared to be no longer in force.

Clause II.

The entry and Record of all Acts made and passed since the 18th July, 1805, and which have not been examined and compared by the President of the Council and Speaker of Assembly, to be compared and examined with the originals by the Colonial Secretary or his lawful Deputy, and all Acts that shall in future be passed to be also entered in the said book of records, and carefully examined and compared as before, within thirty days from the passing of such Acts—and the same being by him duly certified shall thenceforth be the originals and equally pleadable in the Courts of these Islands.

And be it enacted by the Authority aforesaid, that the Entry and Record of each and every of the said Acts, made and passed since the eighteenth Day of July, One Thousand Eight Hundred and Five, which have not been already examined and compared by the President of the Council, and Speaker of the Assembly, in manner and form required by the said Act, shall be carefully compared and examined with the original Acts, under the Great Seal of the Colony, by the Secretary or his lawful Deputy ; and all Acts which shall in future be passed, and be entered in the Book of Records, in manner directed by the said recited Act, shall be carefully examined and compared with the Originals thereof, by the said Secretary or his lawful Deputy, within thirty Days from and after the passing of the said Acts ; and all Acts being by him duly certified in the said Book to be correct and true, shall be deemed and taken to be as valid as the original Acts, and shall be pleadable, and given and received in Evidence in all Courts and Places whatsoever in these Islands.

Clause III.
Declared a public Act.

And be it further enacted and declared, that this Act shall be deemed and taken to be a public Act, and shall be noticed as such, by all Judges, Justices and others whom it may concern.

No. L.

An Act for reviving and making perpetual an Act intituled
"An Act for the more easy Recovery of Seamen's Wages."
[October 9, 1822.]

Preamble.

WHEREAS an Act, intituled "An Act for the more easy recovery of Seamen's Wages,"—dated the twenty-first day of December, One Thousand Eight Hundred and Nineteen, expired some time in the Month of December, which was in the Year of Our Lord One Thousand Eight Hundred and Twenty-one ; And whereas the said Act hath been found by experience to be extremely useful and beneficial, and highly necessary to be revived and made perpetual,

Clause I.
The Act No. 48. entitled "An Act for the more easy recovery of Seamen's Wages," revived re-enacted and made perpetual.

Be it therefore enacted by His Excellency Phineas Riall, Esquire, Governor and Commander-in-Chief in and over the Island of Grenada, and such of the Islands commonly called the Grenadines as lie to the Southward of the Island of Carriacou, including that Island, the Members of His Majesty's Council and the General Assembly of these Islands : And it is hereby enacted by the Authority aforesaid, that the said Act intituled, "An Act for the more easy recovery of Seamen's Wages," and every Matter, Clause and Thing therein contained be revived, re-enacted, and made perpetual, any thing in the said Act contained to the contrary thereof in any wise notwithstanding.

No. LI.

An Act for the Relief and Subsistence of Debtors confined in Prison on Executions, and to oblige such Debtors to make a Disclosure of their Property, and deliver up the same for the Benefit of their Creditors. [*July 12, 1823.*]

Revived and made perpetual by No. 61.

WHEREAS many Persons being in distressed circumstances, and unable to pay the whole of their Debts, may be imprisoned in the Common Gaol of this Island, by Process issuing out of the Supreme Court of Judicature, and may, during the time of such imprisonment, be in great danger of perishing through want, unless some provision be made for their support; Be it therefore enacted by His Honor George Paterson, Esquire, President and Commander-in-Chief in and over the Island of Grenada and its Dependencies, the Members of His Majesty's Council, and the Representatives of the People in General Assembly convened; and it is hereby enacted and ordained by Authority of the same, That when any Person or Persons shall be imprisoned in the Common Gaol of this Island, by virtue of any legal Process of Execution issuing out of the Supreme Court of Judicature, for any Debt or Debts not exceeding in the whole, One Hundred Pounds Current Money of the Island, exclusive of Costs, at the Suit of any Creditor or Creditors, such Person or Persons, on application to the said Court, or any Justice thereof, shall be entitled to be paid by such of his Creditors as shall detain him or them in Prison, in due proportion, according to the amount of their respective demands, if more than one, and if by one Creditor only, then by such one Creditor, Seven Shillings Current Money of the said Island per Week, such Payment to be duly and punctually made every Monday in every Week, at the said Common Gaol: and on failure thereof, the Person or Persons so imprisoned, on giving three Days' Notice in writing to such Creditor or Creditors, who shall fail to make Payment as aforesaid, of his or their intention to apply to the Supreme Court of Judicature, to be discharged, shall, on application by Petition, or otherwise, be brought before the said Court, and on due proof being made to the said Court of the non-payment of such weekly allowance, as aforesaid and on such notice as aforesaid, he or they shall be discharged by the said Court from imprisonment, by virtue of the Execution or Executions, at the Suit of the Creditor or Creditors so making Default in the Payment aforesaid, under which he or they was or were confined; and the same shall be deemed released for ever as against the person of the Debtor; and the Provost Marshal General, or his lawful Deputy, is hereby required, on having such Order and a Copy thereof left with him, to discharge the Debtor or Debtors without taking any Fee, or detaining him for any Fee herein-before claimed or due to the Provost Marshal General, or Keeper employed by the said Provost Marshal General; Provided always that such Discharge shall not extend to the Execution or Executions of any Creditor or Creditors complying with the Provisions of this Act, nor to any other process under which any Debtor or Debtors may be also confined; Provided also, that the Person or Persons so imprisoned shall, within six days after his or their imprisonment, make out a full Account, or Schedule, of all the real and personal Estate which he or they, or any Person in trust, in any manner for him or them is or are entitled, and of all Debts due and owing to him or them, in order that the same may be levied on and taken in satisfaction of his or their Debts, and shall also make Oath before one of the Justices of the Supreme Court, that he or they is or are, not possessed of, or entitled to, any other real or personal Estate, Effects, Monies, or Debts, than that are contained in the said Schedule, above the value of Five Pounds Current Money of the said Island, save and except his or their Wearing Apparel and Tools and Instru-

Preamble.

Clause 1.

Persons imprisoned for debt in the Common Gaol not exceeding £100 Currency exclusive of Costs, shall, upon application to the Court or any Justice thereof, be entitled to receive from such Creditors as detain them, Seven Shillings Currency per Week, to be punctually paid every Monday at the Gaol.

And on failure of such payment, the Party imprisoned upon giving three days' notice in writing to the Creditors of his intention, may apply to the Court, and on proof of the non-payment be discharged from such debt as against his person, for ever.

Provost-Marshal upon receiving such order, to discharge the Debtor without fees.

Such discharge not to extend to the Executions of Creditors complying with the provisions of this Act, or to any other process, under which Debtors may be confined.

Provided the parties so imprisoned make out within six days thereafter upon oath, a Schedule of all their real and personal estate, in order that the same be levied on in satisfaction of their debts.

Property to the amount of £5 currency, together with wearing apparel, and the tools or instruments of trade to be retained. Debtors secreting, transferring, or conveying property, or not making a full and fair disclosure of their estate, not to be entitled to any provision, and if indicted and convicted of Perjury, to suffer the pains and penalties usually indicted for the same, and may be taken in Execution *de novo*, and never after have the benefit of this Act.

Clause II.
Persons now charged in Execution for any sum not exceeding £100 currency, exclusive of Costs, shall upon complying with the provisions of this Act, be entitled to the benefit thereof, upon making out the

ments of Trade; and provided also, that if any Debtor or Debtors shall fraudulently secrete, transfer or convey, in trust or otherwise, any part of his or their real or personal Estate and Effects, or Debts, or if the said Schedule shall not contain a full and fair disclosure of the whole of his or their real and personal Estate and Effects, and Debts, then and in that case, he or they shall not be entitled to any Provision for his or their Subsistence, by virtue of this Act; Provided also, that if any Person or Persons who shall take any Oath, by this Act required to be taken, shall upon any Indictment for Perjury be convicted, by his, her, or their own Confession, or by verdict of twelve lawful Men, the Person so convicted shall suffer the Pains and Forfeitures which, by law, are to be inflicted on any Person convicted of wilful Perjury, and shall likewise be liable to be taken on any Process *de novo*, and charged in Execution for the said Debt, in the same manner as if he or she had not been discharged, or not taken or charged in Execution before, and shall never after have the Benefit of this Act, any thing herein before contained to the contrary notwithstanding.

And be it enacted by the Authority aforesaid, that every Person or Persons who may be now charged on Execution for any sum not exceeding One Hundred Pounds Current Money of this Island, exclusive of Costs, shall from and after the passing of this Act be entitled to the Relief and Benefit thereof; provided he or they shall comply with the Provisions of the same by making out the Schedule or Account as herein-before required within twelve Days from the Date thereof.

Preamble.

And whereas, it might tend greatly to the relief of certain Debtors in Execution for small Debts, and at the same time occasion no material prejudice to Trade and Public Credit, if such Debtors should after a limited period of imprisonment, be allowed the benefit of a discharge therefrom, the Creditors at whose Suit they were so in Execution, being at the same time authorized to take out other Writs of Execution against the Estate and Effects of such Debtors or to use any other Remedy for the satisfaction of their Debts as if the persons of their Debtors had not been taken in Execution; Be it therefore enacted by the Authority aforesaid, That from and after the passing of this Act, all Persons in Execution upon any Judgment in whatsoever Court obtained for any Debt or Damages not exceeding the Sum of Fifty Pounds Current Money of this Island, exclusive of the Costs recovered by such Judgment, and who shall have laid in Prison for the space of six successive calendar Months next before the time of their application to be discharged as hereinafter mentioned, shall and may upon his or their application for that purpose made to the Supreme Court of Judicature to the satisfaction of such Court, be forthwith discharged out of Custody as to such Execution, by the Rule or Order of the said Court; Provided always, that if it shall happen that any such discharge shall have been unduly or fraudulently obtained upon any false Allegation or Circumstances which if true might have entitled the Prisoner to be discharged by virtue of this Act, such Prisoner shall upon the same being made to appear to the satisfaction of the Court by whose Rule or Order the said Prisoner had been so discharged, be liable to be again taken in Execution, and remanded to his former Custody by the Rule or Order of the same Court; Provided also, that the Provost Marshal General, or Gaoler, or other Person, shall not be liable as for the escape of any Prisoner in respect of such enlargement during such time as he shall have been at large by means of such his undue discharge as aforesaid.

Clause IV.
The Judgment whereon the Executions issued against any Debtor shall continue in force, notwithstanding his discharge, and other Execu-

And be it enacted by the Authority aforesaid, that notwithstanding the Discharge of any Debtor or Debtors detained in Execution by virtue of any of the provisions of this Act, the Judgment whereon the said Execution issued shall still continue in force, save as against the Person of the Debtor, and that it shall and may be lawful for any Creditor to sue out another Execution thereon, against the Estate and Effects of such Debtor, Provided

always, that the necessary Wearing Apparel and Bedding of any Debtor, and the Tools and Instruments of Trade, not exceeding in value twenty-five Pounds, of Current Money of the said Island, shall not be liable thereto; and it shall and may be likewise lawful for any Creditor or Creditors, to bring any Action on the said Judgment against the Debtor, but not so as to make the person of the said Debtor again liable thereto, or to bring an Action, or use any other remedy for satisfaction of his or their Demand, against all other Persons liable thereto in like manner, as if the person of the said Debtor or Debtors, had not originally been taken in Execution; Provided always, that no proceeding by Scire Facias, or otherwise, shall be maintained against the bail in any Action, wherein the Defendant shall have been charged in Execution, and afterwards discharged as aforesaid, by virtue of this Act.

And be it enacted by the Authority aforesaid, That no Fee whatever shall be demanded or taken from any Debtor or Debtors applying for and taking the Benefit of this Act, for any Matter or Thing to be done by virtue of this Act.

And be it enacted by the Authority aforesaid, That this Act shall continue and be in force for the term and space of two Years, from the publication thereof, and shall be deemed and taken to be a public Act, which all Judges, Justices and others are required to notice accordingly.

tions may issue against his Estate, excepting his wearing apparel, tools of his trade, &c., not exceeding in value £25 currency; but his person not to be again liable by any action brought on the same Judgments, nor any proceedings to be maintained against the Bail in Actions where the Defendant had been charged in Execution, and afterwards discharged by virtue of this Act.

Clause V.
No fee whatever to be taken from any Debtor taking the benefit of this Act.

Clause VI.
Declared a public Act and to be in force for two years.

No. LII.

An Act to repeal part of the eighth Clause of an Act, intituled "An Act for reducing into one Act of the Legislature, the several Laws relating to the Port and Harbour of Grenville, in the Parish of St. Andrew, in the Island of Grenada, and for the better and more effectually preserving the same, and for appointing Commissioners for that purpose, and for raising funds for defraying the expenses thereof, and for repealing all other Acts and Clauses of Acts, relating thereto, and for other purposes therein mentioned," as far as relates to the rates paid upon produce, and for substituting other rates in lieu thereof. [December 22, 1824.]—Left to its operation by Order in Council, dated 5th February, 1827.

WHEREAS, by the eighth Clause of an Act of these Islands, made and passed upon the thirty-first day of July, that was in the Year One Thousand

Eight Hundred and One, intituled, "An Act for reducing into one Act of the Legislature the several Laws relating to the Port and Harbour of Grenville in the Parish of Saint Andrew, in the Island of Grenada, and for the better and more effectually preserving the same, and for appointing Commissioners for that purpose, and for raising funds for defraying the expenses thereof, and for repealing all other Acts and Clauses of Acts relating thereto, and for other purposes therein mentioned," it is among other things provided, that certain Rates and Taxes should be annually assessed and raised upon the produce which shall be shipped, or in any wise water-borne within the limits of the River Antoine, with the several Estates in the Parish of St. Patrick bounding on the said River Antoine, the Port and Bay of St. Andrew inclusive, at or from the said Port of Grenville, from and after the publication of this Act,—whether the same be sent to Europe or elsewhere abroad, or be sent coast-wise; And whereas it is by the same in part recited Clause also provided, in respect to the Rates upon all ships or other vessels (Droghers excepted), trading to the said Harbour, that one half of the aforesaid Rates respectively upon all produce of these Islands,

Preamble.
Recites Act, No. 34.

laden, or to be laden, on board such Ships or Vessels, is to be paid by the Master or Masters, Owner or Owners, or other Person, on their behalf, to the Treasurer, on all produce whatsoever, within the limits above mentioned, in like manner as is herein directed. And whereas such the said provisions of the aforesaid Clause, are found to bear in an unjust and oppressive manner upon properties within the limits aforesaid, that by reason of the produce thereof not being shipped on board any of the Ships or Vessels in the said Port, to proceed direct for Europe, do not benefit by the Port Regulations, but, on the contrary, have, in addition to the Rates and Assessments thereby imposed, a heavy Drogherage charge to pay, and that the Rates and Charges raised and levied upon the Ships and Vessels trading to the said Port, do not bear an adequate proportion either to the said Tax imposed upon produce when so shipped, or to the advantages derived by such Ships or Vessels in trading to the Harbour, and it is necessary that the same should be repealed ;

Clause I.
Such parts of the
said 8th Clause
therefore repealed.

Be it therefore enacted, by His Honor George Paterson, Esquire, President and Commander-in-Chief in and over the Island of Grenada and its Dependencies, the Members of His Majesty's Council, and the House of Assembly of the said Island, that such parts of the eighth Clause of the Act aforesaid, as relate to the Rates and Taxes to be annually assessed upon produce shipped at or from the said Port of Grenville, or water-borne within the limits of the River Antoine, with the Estates bounding thereon, and the Port and Bay of Saint Andrew inclusive, and to the Rates upon Ships or Vessels trading to the said Harbour, be and they are hereby repealed, and declared to be no longer in force.

Clause II.
Rates of taxation or
duty upon produce
shipped at the Port
and Harbour of
Grenville, in future.

In what proportion
to be paid by Ra-
tates and Vessels
respectively.

And be it enacted by the Authority aforesaid, That it shall and may be lawful for the Commissioners of the said Port and Harbour of Grenville, to impose an annual Tax upon produce shipped at the said Port in any Ship or Vessel bound direct for a Port in Great Britain, or any Foreign Port which it is now, or may hereafter be, lawful to clear out for, at and after, but not to exceed the following Rates, that is to say ; For every hogshead of Sugar, three shillings ; for every puncheon of Rum or of Molasses, two shillings ; for every tierce of Sugar, Coffee, and Cocoa, two shillings ; for every barrel of Sugar, Coffee, and Cocoa, nine pence ; for every bale of Cotton, two shillings ; for every bag of Coffee, Cotton, and Cocoa, nine pence ; for every hogshead of Rum, Lime-juice, and Shrub, nine pence ; and the same aforesaid Rates respectively, shall also be paid by the Master or Masters, Owner or Owners, or Persons acting in their behalf, of all Ships or other Vessels (Droghers excepted) trading to the said Harbour, upon the produce they shall take on board as lading in the said Port, in manner directed by the Act aforesaid.

Clause III.
Produce shipped on
board Droghers, for
the purpose of being
transhipped to some
vessel or vessels in
the Port of Saint
George trading to
Great Britain, or
any Foreign Port,
not to be liable to
the Port Tax.

And be it enacted, by the Authority aforesaid, That the produce shipped in the said Harbour on board of Droghers proceeding coastwise, for the purpose of being transhipped to some other Vessel or Vessels trading direct from the Port of St. George to Great Britain, or any Foreign Port, or other Colony, shall not be liable to, nor charged with the Port Tax or annual Rate aforesaid, thereon, nor shall such produce when water-borne within the limits of the River Antoine and St. Andrew's Bay inclusively, for the aforesaid purpose, be liable to, or charged with, any of the Rates or Taxes aforesaid, anything to the contrary thereof in any wise notwithstanding.

Clause IV.
Nothing herein to
be construed as in-
terfering with the
powers and author-
ity of the Commis-
sioners, or as alter-
ing any other part
of the said 8th
Clause.

And be it also enacted, by the Authority aforesaid, That nothing in this Act contained, shall be construed to abridge or interfere with the powers and authority of the Commissioners or Treasurer of the said Harbour, nor to alter, abrogate, nor repeal, any other of the provisions and enactments of the before-mentioned eighth Clause of the said in part recited Act, save and except, as to the Rates and Assessments thereby imposed upon the produce shipped in the said Harbour, and upon the Ships or Vessels trading thereto, and receiving the same.

And be it further enacted, by the Authority aforesaid, That this Act shall be deemed and taken to be a public Act, and shall be noticed as such by all Judges, Justices, and others, whom it may concern.

Clause v.
Declared a public
Act.

No. LIII.

An Act to repeal so much of the Act intituled, "An Act to reduce into one Act, all the Laws now in force relating to the Establishment and Regulation of the Militia in the Islands of Grenada and Carriacou, and to that end to repeal the said Laws, and to substitute, in their stead and place, this present Act," in so far as relates to the days of meeting, or muster of the several Regiments, and of the Troop of Light Dragoons. [April 9, 1825.]—Left to its operation by Order in Council, dated 5th February, 1827.

No. LIV.

An Act for separating the Parishes of Saint John and Saint Mark, from the Parish of Saint George, and the Parish of Saint Patrick, from the Parishes of Saint Andrew and Saint David, and for providing a Salary for the Minister to be appointed to the Benefice of the united Parishes of Saint John and Saint Mark. [13th September, 1825.]

WHEREAS, by the second Clause of an Act of these Islands, made and passed upon the Eleventh day of December One Thousand Eight Hundred and Seven, intituled, "An Act to repeal an Act for providing a support for the Clergy of these Islands, an Act to supply the defects of former Parish Registers, to compel the due and orderly keeping thereof in future, to prescribe how Persons professing the Roman Catholic Religion may have their Baptisms, Marriages and Burials, duly entered in the Parish Registers of the Established Church," and "An Act to amend so much of an Act, intituled An Act for providing a support for the Clergy of these Islands," as relates to the Town and Parish of Saint George, and to provide a support for the Clergy of this Government, and other purposes, it is enacted, that the said Island of Grenada, instead of being divided into four Benefices or Cures, should, from the publication of the Act now in recital, be divided into two Benefices or Cures for the said Island of Grenada, to comprehend the Parishes, and be distinguished and ascertained in the manner following, that is to say: the first of the said two Benefices or Cures to comprehend the Parishes of Saint George, Saint John, and Saint Mark, the Rector of which should, and was thereby required and enjoined to reside at the Town of Saint George, and on the second Sunday of each and every calendar Month, to perform Divine Service at the Parish Church in Charlotte Town, for the Parishes of Saint John and Saint Mark, and the remaining Sundays in each and every calendar Month, to perform Divine Service in the Parish Church of the Town of Saint George; and the second Benefice or Cure to comprehend the Parishes of Saint Patrick, Saint Andrew, and Saint David, the Rector of which, should, and was thereby required and enjoined to reside within the Parish of Saint Andrew, and should perform Divine Service on the first Sunday of each and every ca-

Preamble.

Recites the second Clause of the Act No. 37, passed upon the 11th Dec., 1807, for providing a support for the Clergy of these Islands, &c., by which the Island of Grenada instead of being as theretofore divided into four Benefices, is formed into two such Benefices or Cures.

And also part of an Act (No. 42.) (to alter and amend the former) of the 20th March, 1813, as far as relates to the provisions for fixing the residences of the Rectors, production and lodging of Certificates previous to payment of their Salaries, &c., being repealed.

lendar Month, at some convenient place in the Parish of Saint David, and on the third Sunday of each and every calendar Month, at some convenient place in the Parish of Saint Patrick; and the remaining Sundays in each and every calendar Month, at some convenient place in the Parish of Saint Andrew: And whereas, by an Act of these Islands, made and passed upon the twentieth day of March, One Thousand Eight Hundred and Thirteen, intituled, "An Act to alter and amend certain parts of an Act, made and passed in the Forty Eighth Year of the Reign of his present Majesty, for providing a support for the Clergy of this Government," and other purposes therein mentioned, commonly called the Clergy Act, and being the Act hereinbefore referred to, it is enacted, that from and after the publication of the now reciting Act, so much of the Act hereinbefore referred to, as relates to the fixing the residence of the said several Rectors, and the production and lodging of Certificates of residence, previous to the payment of their respective Salaries by the Public Treasurer, should be, and the same was thereby declared to be thenceforth no longer in force; And whereas, it hath been deemed necessary and expedient, that the number of Benefices or Cures within the Island of Grenada, be increased to four:

Clause I.

So much of the first recited Act as respects the Beneficed division of the Island, repealed.

Be it therefore enacted, by His Honor George Paterson, Esquire, President and Commander-in-Chief in and over the Island of Grenada and its Dependencies, the Honorable the Members of His Majesty's Council, and the representatives of the people of the said Island and its Dependencies: And it is hereby enacted by the Authority of the same, That so much of the first hereinbefore recited Act, as enacts, that the said Island of Grenada, instead of being divided into four Benefices or Cures, should, from the publication of the now reciting Act, be divided into two Benefices or Cures, for the said Island of Grenada, to comprehend the parishes, and be distinguished and ascertained in manner therein mentioned, and that the Rector of the first mentioned Benefice, should, on the second Sunday of each and every Month, perform Divine Service at the place therein mentioned, and the remaining Sundays in each and every calendar Month, to perform Divine Service in the parish Church of the Town of Saint George: and the second Benefice or Cure to comprehend the parishes therein also mentioned, and the Rector of which said second Benefice, should perform Divine Service at the times and places therein also mentioned, and set down, shall be, and the same is hereby repealed.

Clause II.
Four Benefices or Cures established in the Island. How formed.

Ministers whose Benefice or Cure shall comprehend two Parishes, to perform Divine Service alternately at each.

And be it further enacted by the Authority aforesaid, That four Benefices or Cures for the Island of Grenada shall be established, which said Benefices or Cures, shall comprehend the Parishes to be distinguished and ascertained in the following manner, that is to say: the Town and Parish of Saint George, shall form one Benefice or Cure, and be under the charge of one Minister; the united Parishes of Saint David and Saint Andrew, shall form one other Benefice or Cure, under the charge of one other Minister, to officiate alternately at the Parish Churches or other places appointed for Public Worship, in the said two Parishes respectively; the Parish of Saint Patrick shall form one other Benefice or Cure, under the charge of one other Minister; and, the Parishes of Saint John and Saint Mark shall form one other Benefice or Cure, under the charge of one other Minister.

Clause III.
Rector of the united Parishes of St. John and St. Mark, placed upon the same Salary, &c., as the other beneficed Clergymen of the Colony.

And be it further enacted by the Authority aforesaid, That the Minister of the united Parishes of Saint John and Saint Mark, shall receive out of the Public Treasury of these Islands, at the rate of Six Hundred and Sixty Pounds Current Money per annum, payable half yearly, as a Stipend or Salary, during his residence; and shall be intituled to receive and take such and the like Fees as are by the herein-before in part recited Act appointed to be taken by the then officiating Clergymen of the said Islands in their respective Benefices or Cures, and have and enjoy the like powers and remedies for the recovery thereof, in case of non-payment.

Clause IV.

And be it further enacted, by the Authority aforesaid, That the Ministers

of the Parish of Saint Patrick, and of the united Parishes of Saint John and Saint Mark, shall from and immediately after they shall be respectively and duly instituted and inducted into their said respective Benefices, be authorized and required, to transact, manage and perform, in their respective Benefices, all such and the like ceremonies as the Rector of any one of the Cures in the said recited Act mentioned, could, or might lawfully do and perform, or was required to do and perform under and by virtue of the said recited Act, it being the true intent and meaning of this Act, to invest the Ministers of the Parish of Saint Patrick, and of the united Parishes of Saint John and Saint Mark, respectively, with such and the like powers and authorities as the Rectors or Rector of any one of the Cures mentioned in the said recited Act of the Eleventh of December, One Thousand Eight Hundred and Seven had or have by virtue of that Act, as fully and effectually as if they had been appointed Rectors under and by virtue of that Act; Provided always, that nothing herein contained, shall be construed to deprive the Ministers filling the Benefices or Cures established by the said recited Act of the Eleventh of December, One Thousand Eight Hundred and Seven, of their respective rights of acting as Rectors in the respective Benefices of Saint George, and of the united Parishes of Saint Andrew and Saint David, as Ministers of the same, under the provisions contained in this Act.

Clergymen appointed to the Parishes of St. Patrick, and of St. John and Saint Mark, after being duly inducted, to have all the rights and authorities belonging to their situation as Rectors of such Parishes, the same as if appointed under the former Acts.

And be it further enacted by the Authority aforesaid, That it shall and may be lawful for the Treasurer, or his lawful Deputy for the time being, and he is hereby authorized and required, to appropriate so much of the surplus of the Monies collected and raised by virtue of the rate and tax imposed by the hereinbefore in part recited Act of these Islands, made and passed upon the Eleventh day of December, One Thousand Eight Hundred and Seven, towards payment of the Salary or Stipend made payable by this Act, as and when the same shall become due and payable, any thing in the last-mentioned Act to the contrary thereof in anywise notwithstanding: and in case it should happen, that the aforesaid Fund should be inadequate to the payment of the Salaries or Stipends by the last-mentioned Act or herein made payable, it shall and may be lawful for the Treasurer, or his lawful Deputy, and he is hereby authorized and required, to pay the deficiency out of any unappropriated Monies which may be in his hands.

Clause V.
Treasurer to pay the Stipend made payable by this Act, out of the surplus of monies to be raised under authority of the Clergy Act.

Or out of any other un-appropriated monies that may be in his hands.

No. LV.

An Act to declare the Ecclesiastical Laws and Canons, now in force, in England, in so far as they relate to the Ecclesiastical Regimen of the Clergy, in force in these Islands. [14th March, 1826.]—Left to its operation by Order in Council, dated 14th March, 1827.

WHEREAS, the King's most Excellent Majesty, hath been graciously pleased by letters Patent under the Great Seal of the United Kingdom of Great Britain and Ireland, to erect, found, ordain, make and constitute the Islands of Barbados, Grenada, St. Vincent, Dominica, Antigua, Montserrat, St. Christopher, Nevis, and the Virgin Islands, Trinidad, Tobago and St. Lucia, and their respective dependencies, to be a Bishop's See, and to be called from henceforth, the Bishopric of Barbados and the Leeward Islands; and his said Most Excellent Majesty, hath, by the same Letters Patent, named and appointed William Hart Coleridge, Doctor in Divinity, to be Bishop of the said See: And whereas, in order the better to give effect to the powers and authorities vested in the said Lord Bishop of Barbados and the Leeward Islands, so appointed, and his successors in the See; and that he and they

Preamble.

should be enabled in the most full and ample manner, to exercise spiritual and ecclesiastical Jurisdiction in and over the Clergy of these Islands;

Clause I.

All Laws, Ordinances and Canons Ecclesiastical, in force in Great Britain for the due ordering and regimen of the Clergy, to be in full force in these Islands, except where at variance with the Act, commonly called the Clergy Act.

Be it therefore enacted, by His Excellency Sir James Campbell, Knight Commander of the Most Honorable Military Order of the Bath, Governor and Commander-in-Chief, of this Island of Grenada, and its Dependencies, Chancellor and Ordinary of the same, the Members of His Majesty's Council, and the General Assembly of the said Islands; that all Laws, Ordinances and Canons Ecclesiastical, which are now issued and in force, in that part of the United Kingdom of Great Britain and Ireland, called England, so far as the same relate to the due ordering and Ecclesiastical Regimen and Jurisdiction over the Clergy therein; and all rules and regulations for carrying the same into effect, shall be esteemed, accepted, and taken to be in full force and virtue within these Islands (save and except in so far as the said Laws, Ordinances and Canons Ecclesiastical, or any of them, are inconsistent or at variance with the provisions of an Act of the Legislature of these Islands, intituled "An Act to repeal an Act for providing a support for the Clergy of these Islands, an Act to supply the defects of former Parish Registers, to compel the due and orderly keeping thereof in future, to prevent the celebration of Marriage otherwise than is therein directed: and to prescribe how Persons professing the Roman Catholic Religion may have their Baptisms, Marriages and Burials duly entered in the Parish Registers of the Established Church," and "An Act to amend so much of an Act intituled, an Act for providing a support for the Clergy of these Islands, as relates to the Town and Parish of Saint George, and to provide a support for the Clergy of this Government, and other purposes"), and that the Courts of common Law in this Island shall and may from time to time, and at all times, be aiding and assisting in enforcing and carrying into Execution such proceedings and processes, orders, sentences, adjudications and decrees, at any time to be issued, had, made or given in respect to the Clergy within this Island, in the same manner, to all intents and purposes, as the Courts of common Law within that part of the said United Kingdom, called England, lawfully may or are authorized, empowered, or required, to aid and assist the Ecclesiastical Courts in enforcing and carrying into Execution the processes, proceedings, orders, sentences, adjudications and decrees issued, had, made or given in the said last mentioned Courts, any Law or Custom to the contrary in any wise notwithstanding.

Courts of common Law, to be aiding and assisting in enforcing Ecclesiastical processes, &c.

Clause II.

Bishop may appoint Commissaries.

Their duties.

And be it further enacted, That it shall and may be lawful for the aforesaid Bishop, and his successors by him or themselves, or by his or their sufficient Commissary or Commissaries, by him or them to be lawfully substituted and named, to exercise all manner of Jurisdiction, power and coercion Ecclesiastical that may be requisite in, over and upon all Rectors, Curates, Ministers and Incumbents of all the Churches within this Island and its Dependencies, wherein Divine Service shall be celebrated, according to the Rites and Liturgy of the Church of England, and all Priests and Deacons in the Holy Orders of the Church of England resident in this Island and its Dependencies.

Clause III.

Bishop or his Commissaries may issue summonses either to laymen or clergymen, to attend as witnesses, and be examined upon Oath.

And be it further enacted, That it shall and may be lawful for the Lord Bishop of Barbados and the Leeward Islands for the time being, his Commissary or Commissaries, to issue under their Hand and Seal of Office, of the Commissary or Commissaries by him appointed, one or more Summons or Summonses, directed to any Person or Persons, whomsoever, whether Laymen or Clergymen, to appear as Witnesses to give their Testimony on Oath, which the Lord Bishop of Barbados for the time being, or his Commissary or Commissaries, are hereby empowered to administer either for or against the party accused, and also to grant a protection or protections, for any Witness or Witnesses so summoned, who may desire the same, in as full form, power, and effect, as may or can be legally granted by any of the Courts of Law or Equity in this Island, and which protection or pro-

tections shall be observed by all Officers, in like manner as they would have been, had they issued from any other of the said Courts ; and in case it shall appear to the said Lord Bishop of Barbados, for the time being, or his Commissary or Commissaries, that such Person or Persons was or were duly summoned, and neglected or refused to appear, without a just and reasonable excuse, to be approved and allowed by the said Lord Bishop, for the time being, his Commissary or Commissaries, or appearing, shall neglect or refuse to be sworn, or give Testimony, or shall swear falsely, the said Lord Bishop of Barbados for the time being, his Commissary or Commissaries, shall, and he and they is and are hereby authorized and empowered, to proceed against every such Witness or Witnesses in contempt, or who shall swear falsely, in the same manner, as a Judge of any Court of Law or Equity, may, might, or could legally proceed against such Witness or Witnesses, had such contempt, or false swearing been committed in any of the said Courts, and such Witness or Witnesses, shall, on a conviction before the Supreme Court of Judicature, to be holden for this Island and its Dependencies, be liable to incur the like pains, fines, and penalties, as would or might have been inflicted on him, her or them, for or by reason or means of such contempt or false swearing, had the same been committed in any other Court of this Island.

Other powers
which may be exer-
cised by the Bishop
or his Commissary.

No. LVI.

An Act for regulating the Fees of Persons holding certain Public Situations within this Government, as also, the Charges of Surgeons and Medical Practitioners, for attending Coroners' Inquests. [*September* 19, 1826.]—Left to its operation by Order in Council, dated 30th April, 1827.

Vide Acts,
No. 87.
89, Clause 27.
136, Clause 1.
140, Clause 34.
148.
169.

WHEREAS, the Fees and Charges hitherto exacted, by Persons holding Public Offices or Situations in these Islands, have, in many instances, been fluctuating and uncertain, to the great inconvenience of individuals, as well as of the public at large : And whereas, it is highly expedient and necessary, in consequence, that the Fees and Charges to be made, and exacted, in such Public Offices aforesaid, and by Persons performing Public duties in this Colony, should be fixed and established by Law : Be it therefore enacted, by His Excellency Major-General Sir James Campbell, Knight Commander of the Most Honorable Military Order of the Bath, Governor and Commander-in-Chief in and over the Island of Grenada and its Dependencies ; the Members of His Majesty's Council, and the General Assembly of the same ; And it is hereby enacted and ordained by the authority thereof, That from and after the Publication of this Act, the several Charges, Fees and Sums set forth in the Schedule hereunto annexed, marked A, shall be the several Charges to be made, and amount of Fees to be taken, by the Public Officers therein named, for any of the duties, or services thereunto respectively referring ; and that the same shall be, and remain, the fixed and proper charge for every such service or duty, so performed, any thing to the contrary thereof in any wise notwithstanding ; Provided always, that in cases of prosecutions at the instance of individuals, nothing in this Act contained, shall be construed to prevent the Attorney-General, from charging the usual Fees, paid to Counsel in such Cases.

Preamble.

Clause I.
The charges, fees
and sums set forth
in the Schedule A,
to be those which
may be lawfully
taken by the pub-
lic officers therein
referred to—not to
affect the fees of the
Attorney General
for prosecution at
the instance of in-
dividuals.

And whereas, it is also equally proper and necessary, that the Fees to be taken by Magistrates, acting in the Commission of the Peace, and also those of the Constables, should be clearly defined and fixed by Law ; Be it therefore enacted by the Authority, aforesaid, That the Schedule hereunto annexed, marked B, shall be considered as a table of Fees, to be exacted upon the occasion, and for the Duties and Services referred to, under the

Clause II.
Fees of Magistrates
and Constables, es-
tablished by Sched-
ule B.

Clause III.

Fees of Surgeons, &c., for attendance at Coroner's Inquests, established and regulated by the Schedule C.

And be it further enacted by the authority aforesaid, That in all cases where Surgeons or Medical Persons, duly licensed to practise in these Islands, shall be called in by a Coroner, or Coroner's Jury, to give an opinion and Evidence upon Inquisition of sudden death, by accident or otherwise, and to do and perform, at such times, any matter or thing belonging to their practice or profession, it shall and may be lawful for such Surgeon, or Medical Person, to charge for the same, according to the Rate and Charges enumerated, and specified under the head of Medical attendance in the Schedule, marked C, and that the same, as there set forth, and no more, shall be the regular and established Charges for attendance, and the services therein respectively referred to when so performed as aforesaid.

Clause IV.

Penalty of £50 upon Public Officers, Magistrates and Constables, for charging or exacting more than is established, for the specified service by this Act.

And be it also enacted, by the authority aforesaid, That if any Public Officer, Magistrate or Constable, shall, after the Publication of this Act, demand, charge or exact, for any Public or other Service set forth in either of the Schedules, marked A, B, and C, herein-before mentioned, and hereunto annexed, more than the regulated Charge therein, or in either of the said Schedules specified and laid down, as the remunerating sum for each particular Service or Services, he the Public Officer, or Constable, or Magistrate, so offending, shall forfeit and pay to His Majesty, his Heirs and Successors, the sum of Fifty Pounds Current Money for every such offence, to be recovered by Bill, Plaint or Information, in the Supreme Court of Judicature of this Island.

Clause V.
Declared a public
Act.

And be it enacted, by the authority aforesaid, That this Act shall be deemed and taken to be a public Act, and all Judges, Justices and others, are to notice it as such accordingly.

A DOCKET OF FEES FOR THE SECRETARY'S OFFICE.

£ a d

For setting up the name of any Person bound off the Island, and Ticket thereon -
For Ticket when taken out before time, for setting up Name on Bond given -
For underwriting any Person bound off the Island, and Bond to prosecute, and filing Account -
For filing a Petition, Affidavit, Certificate, Paper or Proceedings of any kind -
For attending Governor or Commander-in-Chief with every Petition for Order -
For entering Order on every such Petition -
For every Bond of every Vessel -
For every Ticket or Certificate of such Bond being given -
For filing Treasurer's Receipt and Certificate [Duties repealed, and compensation granted to Secretary by Act, No. 90.]

For receiving and filing every Petition, and entering Order thereon, and for attending Ordinary with every such Petition for Order, for drawing Notice of Order on

£ 1 d.

such Petition to be inserted in the Gazette, for drawing Affidavit to every such Petition, and for administering and certifying the same, for drawing Bond of Letters of Administration, and taking and filing same, for drawing Warrant of Appraisement on Letters of Administration granted, for drawing or making out Letters of Administration, recording same, and for administering Oath of qualification to Administrator -	6	2	6
For entering a Caveat against Letters of Administration -	0	4	6
For attending a Court on every contested matter, and minuting and entering Order thereon -	2	15	6
For copying every Petition and Order, 18s. or 2s. 3d. for every folio -	0	18	0
For copying any other Paper or Proceedings filed or used in the Court of Ordinary, or 2s. 3d. for every folio -	0	15	0
For drawing Letters Testimonial and Warrant of Appraisement, and for administering Oath of Qualification to each Executor, and recording the same -	5	2	0

	£	s.	d.
For drawing, taking, and filing Bond for every Marriage Licence, and for drawing and making out every such Marriage Licence, certifying and passing same, and attending Governor with same, for signature and seal -	3	6	0
For drawing Probate to every Inventory or Account, and for filing and entering same	2	0	6
For drawing Probate or Affidavit to every Will or Codicil -	0	18	0
For recording same in Court of Ordinary, 36s., or 2s. 3d. for every folio -	1	16	0
For examining and certifying every Paper or Proceeding, as recorded, or as a true copy -	0	4	6
For searching the Records for the first year, 4s. 6d., for every year thereafter, 2s.			

SUPREME COURT OF JUDICATURE.
(CIVIL SIDE.)

For receiving and filing any Affidavit -	0	6	8
For copy of every such Affidavit, 15s. 9d., or 2s. 3d. for every folio -	0	15	9
For drawing and passing every Warrant of Arrest, and affixing Seal thereto, and for receiving and fixing every Return thereon	0	15	9
For drawing and passing every Writ of Habeas Corpus, and affixing Seal thereto, and for attending Judge with same for signature to endorsement thereon -	1	10	0
For filing Return on such Writ -	0	6	8
For attending Judge at Court or in Chambers, and minuting and entering Order thereon -	2	15	6
For drawing and passing every Writ of Replevin, and Bond taken thereon -	1	10	0
For filing Return on such Writ -	0	6	8
For filing Declaration and entering same briefly in the Minute Book -	0	3	0
For entering the head thereof at large in the Court or Docket Book -	0	2	3
For copy of every Declaration, or 2s. 3d. for every folio -	0	7	3
For every Writ of Summons -	0	2	6
For setting the Action down for trial -	0	1	3
For issue, trial, and entering verdict -	0	6	0
For entering an Interlocutory or final Judgment -	0	5	0
For entering an appearance for each Defendant -	0	3	4
For filing and entering a Plea -	0	6	8
For filing any other paper, proceeding or exhibit -	0	6	8
For entering a Discontinuance or Abatement, 3s. 6d.			
For Copy of a Plea, or other Plea or Proceedings, 11s. 3d., or 2s. 3d. for every folio			
For Certifying any Pleading or Proceeding as a true copy -	0	4	6
For every Certificate of the filing of any such Plea or Proceeding -	0	15	9
For every Writ of Subpoena for the first Witness therein named, 2s. 3d. and every Witness thereafter named -	0	2	3
For entering satisfaction on a Judgment -	0	3	4
For recording a Warrant of Attorney -	0	4	6
For drawing and passing a Writ of Execution, and filing Return thereon -	0	16	8
For drawing and passing every Writ of Fieri-facias or Capias, ad Satisfaciendum, and filing return on same -	0	16	8
For drawing and passing a writ of Possession, Writ, Partition or Restitution and Return -	0	18	0

	£	s.	d.
For copy of an Execution -	0	4	6
For Taxing every Bill of Costs -	0	15	2
For minuting a motion in Court, and entering the Order made thereon -	0	18	0
For attending Court with records, for arguing special verdict, demurrer or demurrer to evidence, or other special matter in any Cause, minutes thereof each day same shall be argued -	0	13	4
For bringing into Court every Record, where trial by Record or such Record given at any trial -	1	10	0
For taking a Recognizance of special bail, if by consent of parties, and filing same -	0	18	0
For ditto ditto, where parties justify, and filing same -	1	16	0
For drawing Recognizance for securing payment of purchase money of lands and tenements sold by Provost Marshal, for taking each acknowledgment of the parties with justification, and recording the Recognizance at length, for administering oath of justification, and for examining entry and delivery of such Recognizance -	9	0	0
For searching the Records for the first year	0	4	6
For ditto ditto for every year after -	0	2	3
For filing order of Court of Error, and entering same in Court Book -	0	13	4
For entering judgment at large, 2s. 3d. per folio of 96 words, or -	6	12	0

CRIMINAL SIDE.

For every Subpoena for first Witness, 6s., for every other, 3s., and 3s. for every copy.			
For taking every Recognizance and entering same -	1	16	0
For every discharge -	1	16	0
For copy of every Indictment, Affidavit, or other proceeding, or 2s. 3d. for every folio	0	18	0
For filing every affidavit, exhibit, proceeding or certificate -	0	6	8
For certifying every copy as a true copy -	0	4	6
For every Bench Warrant or Attachment -	1	16	0

COURT OF ERRORS.

For drawing bond or writ in Error, and certificate thereof -	1	10	0
For taking and filing same -	0	6	8
For drawing and passing writ of Error, and for attending Governor for seal to same, and Judge to allow same -	1	16	0
For filing same and entering receipt thereon	1	0	0
For transcript of the Record, certified on writ of Error, and for fixing seal thereon, 132s., or 2s. 3d. for each folio -	6	12	9
For filing assignment of Errors and every other proceeding or exhibit -	0	6	8
For receiving every petition and attending Governor with same for order -	0	18	0
For copy of every petition, 18s., or 2s. 3d. for every folio, at the option of the Officer	0	18	0
For certificate of any pleading filed or omitted to be filed -	0	9	0
For drawing and passing every special Writ of Supersedeas or Certiorari -	1	17	6
For attending Government Office for seal and signature -	0	18	0
For filing and entering Return, and attending the Judge for same -	0	18	0
For attending Court of Error and taking minutes of an Interlocutory Order -	2	15	6
For attending Court of Error, on hearing cause for each day or time -	2	15	6

	£	s.	d.
For copies of papers for appeal, 2s. 3d. per folio.			
For certifying each paper as a true copy	0	4	6
For drawing testimonial on appeal and attending to swear same	3	6	0
For reading King's Order in Council, made upon appeal	0	18	0
For entering the same at length amongst the Records, for the Court of Errors, 2s. 3d. per folio.			
For searching Records first year	0	4	6
For searching Records every year after	0	2	0

REGISTER.

For Recording or Copying of any Deed or Instrument of Writing, 36s., or 2s. 3d. per folio of 96 words, and for recording Diagram or Plan, when attached to any deed	3	6	0
For Recording or Copying of any Deed or Instrument in writing (if in the French or any other foreign language) 3s. 6d. for every folio.			
For Certifying any Deed or other Writing as Recorded, or as a true Copy	0	4	6
For drawing every Affidavit or Probate, for the proof of every Deed for each deponent.	0	18	0
For taking the acknowledgment of a Party to a Deed	0	18	0
For searching the Records for the first year	0	4	6
For searching the Records for every year after	0	2	0
For every extract for a Deed taken from the Books of Record, if copied by the Secretary, or 2s. 3d. per folio of 96 words	1	10	0
For every such extract if taken by a party or Counsel	0	15	0
For Certificate of the contents of every Deed signed and certified	3	6	0
For separate Certificate of entering, and Registration of any Deed with description	1	10	0

FEES CHARGEABLE TO THE PUBLIC.

For drawing Venire for Supreme Court	1	10	0
drawing Precept for Grand Jury	1	17	6
copying every Proclamation	1	17	6
ditto Acts, for every Ninety-six words, 2s. 3d.			
For drawing Testimonial and attending Governor to swear	3	17	6
For drawing every Warrant for Payment of Money by the Treasurer	0	18	0
For Indictments, True Bill	5	5	0
For ditto Ignored	3	3	0
For Abstracting Marginal Notes upon Acts, after being passed, each	3	6	0

[Repealed, Vide Act, No. 87, Clause 3.]

REGISTER'S FEES IN ADMIRALTY.

For filing every Information, Plea, Claim, Affidavit, Replication, Bond, Interrogatory, Deposition, Exhibit, Notice, or other Paper or Proceeding whatever	0	6	8
For Drawing and passing every Monition, Citation, or Warrant of Appraisement	1	16	0
For filing return on every Writ	0	6	8
For drawing every Bond, for Costs	1	10	0
Fees on every Petition and Order	1	11	4
Drawing every Recognisance on Appeal	3	6	0
Fees on every Commission to examine Witnesses, and Schedules annexed, and affixing Seal to same	1	16	0
For attending Judge, and taking every Deposition of Witnesses on Interrogatories	3	6	0

	£	s.	d.
For passing publication			0 18 0
For attending every Court on Motion, Petition or hearing Cause, and Minuting Order or Sentence			4 10 0
For drawing and passing every Writ copying of every Information, Plea, Claim, Affidavit, Deposition, or other Paper or Proceeding, 18s., or 2s. 3d. for every folio of 96 words			1 16 0
Certifying every copy as a true copy	0	4	6
For drawing Affidavit and Testimonial of Judge to appeal Papers, attending Judge for Signature, and to swear to same, and affixing Seal			4 10 0
entering Judgment at large, 2s. 3d. per folio or			6 12 0

REGISTER'S FEES IN CHANCERY.

For Fees of every Petition, viz.—attending, receiving same, attending Chancellor or Court with same, for Order, filing Petition, entering Order therein, and for copy	5	11	0
For attending the Court, and Minuting every Motion, and entering Order therein	2	14	0
Copy of every Order, 18s. or 3s. for every folio.			
For every dismissal of every Bill	3	6	0
Every final Decree	16	10	0
For filing every Bill, Answer, Plea and Replication, Rejoinder, Demurrer, Notice, Report, Certificate, Recognisance, Exhibit, Paper or other Proceeding whatever	0	18	0
For Certifying every Copy of any Paper or Proceeding as a true Copy	0	9	0
For every Writ except Subpoenas	1	17	6
For filing every Return thereon	0	18	0
For every Subpoena	0	9	0
For every Label	0	3	0
For drawing Affidavits of the truth of all copies or proceedings on Appeals, or otherwise	3	6	0
For drawing Testimonials of Governor, attending him for Signature, and to swear to Affidavit	3	6	0
For entering appearance for every Defendant	0	9	0
For attending, amending every Bill, Answer, Plea or Proceedings, 36s. and 2s. 3d. for every folio.			
For amending opposite Parties' Copy, 2s. 3d. for each folio.			
For Certificate of any Proceeding	0	18	0
For attendance in Court in every decision, minuting and entering same	2	14	0
For copy of every notice on Motion, or of filing Affidavits or other Proceedings	0	18	0
For filing every Rule	0	18	0
For Copy of every Rule	0	18	0
For attending, passing publication	0	18	0
For setting down Cause for hearing	0	18	0
For copy of every Bill, Answer, or other Proceeding whatever, 2s. 3d. per folio, or	1	16	0
For every extract from any Bill, Answer, or other Proceeding whatever, 2s. 3d. for every folio, or	1	16	0
For drawing Letters of Guardianship	3	6	0
Recording same	1	16	0

DOCKET OF FEES FOR THE MARSHAL'S OFFICE.

SERVING.

Declaration and Scire facias in the Island of Grenada	0	18	0
ditto in Carriacou and the Grenadines	1	10	0
Subpoenas in the Island of Grenada	0	18	0

	£	s.	d.
Subpoenas in Carriacou and the Grenadines	1	10	0
A special Writ	1	10	0
Complaints, Town. 10s. 6d. Country, 15s. Carriacou, 20s.			
Notice of Levy to every Defendant	0	15	0
Summons to attend Council, each member and time	1	0	0
Subpoenas for Sessions, Town, or within a mile of it, 9s. Country, 18s. and mile Money, 3s. per mile.			
Citation or Petition, each person	0	15	0
Warrant of Contempt	3	6	0
Writ of Restitution	6	12	0

SUMMONING.

Jurors for Common Pleas, each	0	7	6
A special Jury sworn or not, each	0	7	6
A Jury on Partition on View of Lands, each	0	7	6
A Surveyor to attend Jury	0	7	6
Council each member and time	1	0	0
Justices, Jurors, Waywardens, and Constables to attend Sessions, also Coroner, each	0	7	6
Appraisers, to appraise Vessels or Goods, each	0	15	0
[In part repealed by Act, No. 87, Clause 4.]			

ATTENDING.

Supreme Court and Complaints with Cryer, &c. per diem	3	6	0
Court on special Jury, each day	3	6	0
Jurors and Surveyors on Partition of Lands, Town, each day	3	6	0
ditto ditto ditto Country, each day	6	12	0
Jurors and Surveyors on Partition of Lands, Carriacou and the Grenadines, exclusive of Craft hire, each day	9	18	0
Sale on Parade, with Cryer and Liquor	2	0	0
Council, per annum	200	0	0
Court on Trial of any Ship or Vessel, Goods, &c.	2	10	0
Making Return of each Levy	0	2	3
[In part repealed by Act, No. 87, Clause 4.]			

EXECUTING.

Sentence of Death	33	0	0
Writ of Replevin in Town, for dead goods	1	10	0
ditto in Country, 30s. and 3s. per mile.			
ditto in Carriacou and the Grenadines, the same, with 66s. for sending it up.			
Writ of Capias, with 3s. mile money, when in the country	1	16	0
An attachment against the Captain of a vessel	6	15	0
ditto against a common Sailor	1	10	0
Bills of Sale of Vessels, &c.	3	6	0
Any final sentence (other than death) of the Supreme Court	6	12	0
[In part repealed by Act, No. 87, Clause 4.]			

GIVING POSSESSION OF

Lands and Tenements in St. George's Town	3	6	0
ditto in Country	6	12	0
ditto in Carriacou	9	18	0
Horses, Mules, &c., 3s. and mile money 3s.			
Any Vessel	3	6	0

MARSHAL'S CONVEYANCE OF

Lands sold at outcry	3	6	0
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WAYWARDENS AND CONSTABLES.

Giving notice of their appointment, each	0	7	6
[Repealed by Act, No. 87, Clause 4.]			

ELECTIONS.

	£	s.	d.
Issuing warrants to Constables to summon Freeholders to vote, attending with servants, taking poll and making return for the town of St. George	13	4	0
For the parishes of St. George and St. John, when held in the town of St. George	16	10	0
ditto when held in Charlotte Town	23	2	0
For the parishes of St. Andrew and St. David	23	2	0
For the parishes of St. Patrick and St. Mark	23	2	0
For the Island of Carriacou	53	0	0
[Repealed by Act, No. 87, Clause 4.]			

EXECUTIONS.

Receiving and minuting on coming in	0	2	3
Levying, being deemed levying on coming in Commission on payments, 5 per cent. on first £100, and 2½ per cent on balance.	3	0	0
Taking bond for producing effects levied on for sale	1	7	0
State of every execution with proceedings thereon	0	1	6
Assignment on bond, on execution and bail bond, each	0	8	3
Cancelling any bond or recognizance	0	8	3
Certificate of any proceedings under seal	0	15	0
Riding to levy, per mile	0	3	0
Publishing sale of goods in the Gazette, exclusive of Printer's charge	0	7	6

INDICTMENT.

Bills vera	3	0	0
Ignoramus	1	10	0
[Repealed by Act, No. 87, Clause 4.]			

GAOL FEES.

Commitment and Release of any Person	0	15	0
Allowance per diem for each Person	0	3	0
Removing any Person before the Judge by Habeas Corpus, and attending with Bailiffs and Gaoler	5	0	0
Ironing and unironing any Person, each, carrying any Person confined in Gaol before a Magistrate for examination and remanding, each time	0	7	6
Carrying up any Person as before, and not remanding	0	4	6
[In part repealed by Act, No. 87, Clause 4.]			

SUNDRIES.

Copy of Commitment	0	15	0
Levying fines by Attachment, each	1	12	3
Commission on the fine, 5 per cent.			
Publishing an Act Proclamation, exclusive of Drum	0	6	0
Fixing up copies of Proclamations, each	0	18	0
Raising a Poase Insula	6	12	0
Taking a Bond on Replevin	0	15	0
Commission on Sale of any thing in Court of Admiralty, 5 per cent.			
[In part repealed by Act, No. 87, Clause 4.]			

VIEWS OF LANDS.

Swearing or impannelling a Jury on Partition	1	10	0
Making Return of the Jury	1	10	0

VESSELS.

Executing Writ of Arrest on Board of any Vessel, exclusive of Boat hire, &c.	0	18	0
Fixing up Monition for trial of any Vessel or Goods	0	15	0
Fixing up notices when trial will be held	0	18	0

190 [No. LVII. LVIII.] THE LAWS OF GRENADA,

	£	s.	d.
Continuing an Officer on board to take care of vessel, each day	-	0	15 0
Attending trial with Cryer and Bailiff	-	2	10 0
Summoning Appraiser to appraise vessels	-	0	15 0
Making return thereon	-	0	15 0

CHANCERY.

For executing any Writ in Town	-	3	6 0
ditto ditto in Country and Grenadines	-	6	12 0
For every petition or motion	-	2	10 0
For every decree or dismissal of a bill	-	3	6 0
For attendance at the Court, when held, per diem	-	2	10 0

ATTORNEY GENERAL'S FEES.

Drawing Indictment for a capital offence, when found	-	16	10 0
Drawing ditto and ignored	-	9	18 0
Drawing common Indictment, when found	-	9	18 0
Drawing ditto ignored	-	6	12 0
Filing an Information	-	6	12 0
Filing a Presentment	-	6	12 0
Entering a Noli Prosequi	-	3	6 0
Moving Precept for Grand Jury	-	3	6 0

[Repealed by Act, No. 87, Clause 4.]

SCHEDULE B.

MAGISTRATES' FEES.

Taking an Affidavit	-	0	9 0
Granting a Warrant	-	0	4 6
Summons for each person	-	0	3 0
Taking a Recognisance	-	0	18 0
Commitment	-	0	4 6
Release	-	0	4 6

[Repealed by Act, No. 89, Clause 27.]

CONSTABLE'S FEES (IN TOWN.)		£	s.	d.
Summoning Parties to attend Commissioners for taking Returns under the Population Act, each	-	0	0	4
Summoning Freeholders for an Election, each	-	0	1	6
Executing a Magistrate's Warrant	-	0	4	6
Executing ditto on board ship	-	0	9	0
Summoning a Coroner's Jury	-	0	18	0

[Repealed by Acts, No. 89, Clause 4, and No. 136, Clause 1.]

IN THE COUNTRY.

Summoning Freeholders for an Election, each	0	4	6
Summoning Parties to attend Commissioners for taking Returns under the Population Act, each	-	0	1 6
Executing Warrant of Road Commissioners	0	1	6
Conveying Prisoners to Gaol, in St. George's, per mile	-	0	4 6
Executing Magistrate's Warrant, and mile money, 3s.	-	0	9 0
Attending execution of any Criminal	-	0	18 0
Summoning a Coroner's Jury	-	2	5 0

[Repealed by Acts, No. 89, Clause 4, and No. 136, Clause 1.]

CORONER'S FEES.

Holding an Inquest in Town	-	5	0 0
ditto ditto in the Country	-	5	0 0
Mile money	-	0	6 0

[Repealed by Act, No. 87, Clause 5.]

SCHEDULE C.

MEDICAL ATTENDANCE ON INQUESTS.

Attending Inquests in Town	-	2	5 0
ditto ditto in the Country	-	4	10 0
Dissection, when necessary	-	3	6 0

No. LVII.

An Act to alter and amend an Act, intituled "An Act to reduce into one Act all the Laws now in force, relating to the establishment and regulation of a Militia in the Islands of Grenada and Carriacou, and to that end to repeal the said Laws, and to substitute in their stead and place this present Act." [31st October, 1826.]—Left to its operation by Order in Council, dated 28th April, 1828.

No. LVIII.

An Act to authorize depositing the Public Ammunition in a Vault near and belonging to York-House. [24th November, 1827.]—Left to its operation by Order in Council, dated 22nd June, 1829.

Preamble.

WHEREAS, the Colonial Ammunition hath recently been removed from His Majesty's Magazines in Fort George; and whereas a Vault hath been fitted up as a Magazine, adjoining and belonging to the public building known by the name of York-House, may it please His Most Excellent Majesty, therefore, that it may be enacted; And be it, and it is enacted, by His Excel-

Clause 1.

lency the Governor and Commander-in-Chief of the Island of Grenada and such of the Grenadines as are annexed to the Government thereof, the Honourable the Members of His Majesty's Council, and the Representatives of the People of the said Islands in General Assembly convened, and by the authority of the same, That the Vault lately fitted up as a Powder Magazine, near and blonging to the public building, known as York-House, be, and it is hereby appointed, as a place of deposit for the Colonial Ammunition, until another Magazine shall be procured, and declared by joint Resolution of the Council and Assembly, to have been prepared in such a manner as to be suitable for the reception of the Colonial Ammunition.

Vault lately fitted up as a Powder Magazine near York-House, appointed as a place of deposit for the Colonial Ammunition.

And be it enacted by the Authority aforesaid, That this Act shall be deemed and taken to be a public Act, and shall be judicially taken notice of by all Judges, Justices, and all Persons whatsoever, without specially pleading the same.

Clause II.
Declared a Public Act.

No. LIX.

An Act to remove doubts as to the authority of the Treasurer to issue Warrants, and of the Provost Marshal General or his lawful Deputy to execute the same against Absentees, and other Defaulters in the Grenada Troop of Light Dragoons. [21st March, 1828].—Left to its operation by Order in Council, dated 18th March, 1829.

No. LX.

An Act to indemnify the Provost Marshal General and his lawful Deputy, from any responsibility or forfeiture under the twenty-second Clause of an Act, intituled "An Act to reduce into one Act, all the Laws now in force relating to the establishment and regulation of a Militia in the Islands of Grenada and Carriacou, and to that end to repeal the said Laws, and to substitute in their stead and place this present Act," in so far as relates to the making of certain Returns therein mentioned. [24th November, 1828].—Left to its operation by Order in Council, dated 22nd June, 1829.

No. LXI.

An Act for reviving and making perpetual, an Act, intituled, "An Act for the relief and subsistence of Debtors confined in Prison on Executions," and to oblige such Debtors to make a disclosure of their Property, and deliver up the same for the benefit of their Creditors. [25th Nov. 1828].—Left to its operation by Order in Council, dated 22nd June, 1829.

WHEREAS, an Act intituled, "An Act for the relief and subsistence of Debtors confined in Prison on Executions, and to oblige such Debtors to make a disclosure of their Property, and deliver up the same for the benefit of their Creditors," dated the Twelfth day of July, One Thousand Eight Hundred and Twenty-three, hath expired, and it is expedient that the same

Preamble.

Act dated July 12, 1823, No. 5., for re-

Relief and subsistence of insolvent debtors, and every matter, clause, and thing therein contained, revived, re-enacted, and made perpetual.

should be revived and made perpetual; Be it therefore enacted by His Excellency the Governor, the Members of His Majesty's Council, and the General Assembly of these Islands, and it is hereby enacted, by the authority of the same, That the said Act, intituled, "An Act for the relief and subsistence of Debtors, confined in Prison, on Executions, and to oblige such Debtors to make a disclosure of their Property, and deliver up the same for the benefit of their Creditors," and every matter, provision, clause and thing, therein contained, be revived, re-enacted, and made perpetual; and that from and after the passing of this Act, be carried into effect and execution, any thing in the said Act contained to the contrary, in any wise notwithstanding.

No. LXII.

An Act to alter and amend an Act, intituled, "An Act to repeal an Act for providing a support for the Clergy of these Islands, an Act to supply the defect of former Parish Registers, to compel the due and orderly keeping thereof in future, to prevent the celebration of Marriage otherwise than is therein directed, and to prescribe how persons professing the Roman Catholic Religion may have their Baptisms, Marriages, and Burials duly entered in the Parish Registers of the Established Church;" and an Act to amend so much of an Act, intituled, "An Act for providing a support for the Clergy of these Islands," as relates to the town and parish of St. George, and to provide a support for the Clergy of this Government, and other purposes. [May 15, 1829.]—Left to its operation by order in Council, dated 7th December 1829.

Preamble.

WHEREAS, it is expedient to make provision for the discharge of the duties of the Rector of the different Parishes in this Island and its Dependencies, in case of sickness or absence from the same, on the part of any Rector, or in case of any vacancy in any rectory, until the same shall be filled up.

Clause I.

Authorizes any Minister of the Church of England in Priest or Deacon's orders, duly nominated and licensed, to officiate in any Cure in these Islands, in case of the sickness or absence of the Rector, or vacancy of the Cure.

Be it enacted by the Governor and Commander-in-Chief of these Islands, the Members of His Majesty's Council, and the Representatives of the People in General Assembly convened, and it is hereby enacted by authority of the same, That from and after the passing of this Act, it shall and may be lawful for any Minister of the Established Church of England and Ireland, in Priest or Deacon's Orders, who shall be duly nominated by any Rector of any Cure within these Islands with the license of the Governor or Commander-in-Chief, and of the Bishop of the Diocese, or his Vicar-General, to officiate in any such Cure, in case of the sickness or absence of such Rector; and in Case of a vacancy in any Cure, it shall and may be lawful for any such Minister aforesaid, who shall have the licence of the Governor or Commander-in-Chief, and the Bishop of the Diocese, or his Vicar General, to officiate therein, and to perform all clerical duties belonging to such Cure, according to the rites and ceremonies of the United Church of England and Ireland, and the laws and regulations respecting the same, now in force in this Island, and according to the rank or orders he may hold in the Church, of Priest or Deacon, as aforesaid.

Clause II.

Clergymen so authorized intitled to call a Vestry and to act in every respect therein as the Rector, &c. Vide Act, No. 37.

And be it enacted, That any Clergyman so authorized to officiate as aforesaid, shall be entitled to call a Vestry, and to act in such Vestry as the Rector might or could do, to take charge of the Parish Register, to make entries therein, and to take affidavits for entries in the same, and to act with the Magistrates of any Parish, for the purposes specified in the third and tenth Clauses of an Act, intituled "An Act to repeal an Act for providing a support for the Clergy of these Islands; an Act to supply the

defects of former Parish Registers, to compel the due and orderly keeping thereof in future, to prevent the celebration of marriages, otherwise than is therein directed; and to prescribe how persons professing the Roman Catholic Religion may have their baptisms, marriages, and burials duly entered in the Parish Registers of the Established Church:" and "An Act to amend so much of an Act intituled, An Act for providing a support for the Clergy of these Islands," as relates to the Town and Parish of Saint George, and to provide a support for the Clergy of this Government, and other purposes.

And be it also enacted, by the authority aforesaid, That any Clergyman so authorized to officiate as aforesaid, shall and may perform and solemnize all such marriages in such manner, and subject to the same regulations as any Rector might or could do; and that any such marriage, so performed and solemnized, shall be valid to all intents and purposes whatsoever; and that Parish Registers kept by any such Clergyman, or officiating Minister, as aforesaid shall be deemed as authentic public Registers, for the proof of all baptisms, marriages and burials, which shall be hereafter solemnized and performed, as if kept by any Rector and Clerk, as required by the said in part recited act, and that copies therefrom duly examined and attested under the hands of any such Clergyman, or officiating Minister and Clerk, as aforesaid, or in case of the vacancy of the Cure, and there being no officiating Clergyman, under the hands of the Clerk only, and of the witness appearing and proving such copy to have been by him compared with the original, shall and may be received, in all Courts of Justice, as evidence of every baptism, marriage and burial there entered.

And be it further enacted by the authority aforesaid, That any Clergyman so officiating as aforesaid, in any vacant Cure, shall be entitled to demand and receive the fee in the said recited Act specified, for the performance of any baptism, marriage or burial, or other duties; and in the absence or illness of any Rector, that he shall be entitled to demand and receive the said fees for, and on behalf of the said Rector, and to recover the same in like manner as is directed by the said in part recited Act, by such Rectors as aforesaid; Provided always, and be it further enacted, That any Clergyman so authorized to officiate, and so officiating as aforesaid, shall be subject and amenable to all and every such fines and penalties as by any Law in force in these Islands are imposed on any Rector for any act or acts subjecting himself to such penalty or penalties.

Clause III.
Authorized to solemnize marriage, subject to the same regulations as Rectors.

Registers kept by such Clergymen, to be deemed authentic. Copies therefrom duly examined, under the hand of such Clergyman and Clerk, and in case of the vacancy of the Cure, and there being no officiating Clergyman—under the hand of the Clerks only—to be received as evidence in all Courts of Justice.

Clause IV.
Clergymen so authorized, entitled to receive the fees directed by No. 37, and in the absence or illness of the Rector, to receive such fees on behalf of the said Rector, and to recover the same.

Proviso.
Such Clergymen to be subject to the same fines and Penalties, as are imposed by law upon Rectors.

No. LXIII.

An Act to render copies or exemplifications of Wills under the Seal of the Prerogative Court of the Archbishop of Canterbury, or under the Seal of any Court or Authority having power to grant Probates of Wills, good evidence of Wills, *prima facie* in all Courts of Law and Equity within this Government. [May 15, 1829.]—Left to its operation by Order in Council, dated 7th December, 1829.

WHEREAS, by the fortieth Clause of an Act of these Islands, made on the twenty-third day of December, in the year of our Lord, one thousand seven hundred and ninety, intituled "An Act for re-establishing a Court of Common Pleas and a Court of Complaints, directing the modes of proceeding therein, prescribing the order of levying Executions issued out of the Courts formerly subsisting, or hereafter to issue out of the Courts hereby established, for limiting the times of making sales of effects levied on, and for regulating and restricting the conduct of the Secretary and Provost Marshal, in their respective offices, and removing doubts with respect to the expiration of

Preamble.
Recited Act, No. 24, Clause 40.

the former Act, for re-establishing the said Courts, it is enacted, that Probates of Wills, in the usual form under Seal of the Prerogative Court of Canterbury, or under the Seal of any Court authorized to grant Probates of Wills in His Majesty's dominions, shall be allowed, and taken *prima facie* as good proof of such Wills in all Courts of Law or Equity within these Islands; and that such Probates with the copies of the Wills thereto annexed, shall be recorded in the Secretary's Office of this Island, and if relating to Lands, Tenements, or other real estate within these Islands, they shall also be recorded in the Register's Office of these Islands, and copies from either of the said offices attested by the Secretary or Register, or their lawful deputies, respectively, shall be admitted in evidence as the original Probates, in all the Courts aforesaid; saving always, the right of all and every person to invalidate, dispose, or set aside the same Wills, by lawful or equitable causes, as though the said Act had not been made; And whereas, it has been customary to transmit to this country, copies or exemplifications of Wills under the Seal of the Prerogative Court of the Archbishop of Canterbury, without such Probates being attached thereto, which exemplifications have been usually denominated Probates, and have been adduced and admitted in the Courts of Law and Equity of these Islands as evidence of Wills; and whereas, it is expedient, that such copies or exemplifications under such Seals should be made legal evidence of such Wills, provided the same are duly recorded in the Register's or Secretary's Office of this Island:

Clause I.
Copies and exemplifications of Wills, under the Seal of the Prerogative Court of Canterbury, or any other Court, or person authorized to grant Probates of Wills, shall be admitted as *prima facie* proof of such Wills in all Courts of Law and Equity in these Islands.

Proviso.
Such exemplifications or copies, to be recorded in the Register's Office, and copies thereof, under the hand of the Register, to be also admitted as *prima facie* evidence.

Proviso.
Such Will or Wills may be invalidated according to law.

Be it therefore enacted by his Excellency the Governor, the Members of His Majesty's Council, and the General Assembly of these Islands, and it is hereby enacted by the authority of the same, That from and after the passing of this Act, copies or exemplifications of any Will or Wills, Testament or Testaments, under the Seal of the Prerogative Court of the Archbishop of Canterbury, or under the Seal of any other Court, Person or Authority whatsoever, authorized to grant Probates of Wills within His Majesty's dominions, shall be admitted and taken *prima facie* as good proof of any Will or Wills, and Testament or Testaments, in all Courts of Law and Equity within these Islands, as if the original Will or Wills, Testament or Testaments, had been or were produced and proved before such Court or Courts; Provided always, that such exemplifications or copies shall have been duly recorded in the Register's Office of this Island, and copies of all such exemplifications of Wills so duly recorded in the Register's Office, and attested under the hand of the Register, or his lawful Deputy, shall be also allowed, admitted and taken as *prima facie* evidence of such Will or Wills, Testament or Testaments, in like manner as if such exemplifications, under Seal, as aforesaid, had been produced; Provided always, and nothing in this Act contained shall extend to prevent any person or persons invalidating, disproving, or setting aside the same Will or Wills, as though this Act had not been made.

No. LXIV.

An Act to amend certain parts of an Act, for re-establishing a Court of King's Bench and Grand Sessions of the Peace, and for other purposes; and certain parts of another Act for re-establishing a Court of Common Pleas and Court of Complaints, and for other purposes, in so far as relates to the issuing of process out of the same, [September 21, 1829.]—Left to its operation by Order in Council, dated 31st January, 1831.

Preamble.

WHEREAS, by the fifteenth Clause of an Act passed in the year of our Lord one thousand seven hundred and eighty-four, intituled, "An Act for re-

establishing a Court of King's Bench and Grand Sessions of the Peace, prescribing the times of its sitting, and regulating the proceedings therein; and in Courts to be held by virtue of Commissions of Oyer and Terminer and gaol delivery, and for taking away the benefit of Clergy from persons convicted of certain crimes therein specified," it is amongst other things enacted, that any person who shall be concerned to defend or prosecute in the Court thereby established, shall and may have from the Secretary, or deputy Secretary, subpoenas for witnesses to attend, which subpoenas shall require their attendance, under penalty of fifty pounds, current money of this Island, for each witness not attending, and every such subpoena shall be signed and sealed only by the Secretary, or deputy Secretary, of this Island, for the time being, and shall run in the King's name, and be tested in the name of the person entitled to preside in the Court, and such subpoena shall and may be served, and the penalty for non-attendance thereon recovered in the same manner, and for the same uses, as in cases of subpoenas for witnesses summoned to attend the Court of Common Pleas of this Island; And whereas, by the thirtieth Clause of another Act, passed in the year of our Lord one thousand seven hundred and ninety, and intitled, "An Act for re-establishing a Court of Common Pleas, and a Court of Complaints, directing the modes of proceeding therein, prescribing the order of levying Executions issued out of the Courts formerly subsisting, hereafter to issue out of the Courts hereby established, for limiting the times of making sales of effects levied on, and for regulating and restricting the conduct of the Secretary and Provost Marshal in their respective offices, and removing doubts with respect to the expiration of the former Act, for re-establishing the said Courts," it is amongst other things enacted, that all writs issuing out of the said Court shall run in his Majesty's name, and bear teste in the name and under the seal of the Chief Justice, for the time being, or, in case of his death, or absence from these Islands, or being a party in the suit, in the name and under the seal of the puisne Judge of the said Court, in commission on the Island, for which a proper seal shall be left in the Secretary's office; And whereas his Honor the President and Commander-in-Chief hath lately, by and with the advice and consent of His Majesty's Council, suspended His Honor Jeffery Hart Bent, Esquire, from the exercise of the functions of the office of Chief Justice of this Island and its Dependencies, until His Majesty's pleasure shall be made known, the consequence whereof, doubts have arisen in whose name, and under whose seal, writs, and other process required to be issued by the said recited clauses of the said several Acts; should bear teste, and it is expedient that such doubts should be removed.

Recites Act No. 16, Clause 15, in regard to the issuing of subpoenas.

Recites the provisions of No. 24, Clause 30, in regard to the issuing of writs out of the Supreme Court.

Doubts having arisen, on the suspension of Chief Justice Bent, in whose name, and under whose seal, writs and other process should issue, it is expedient that such doubts should be removed.

Be it therefore enacted by His Honor the President, the Council and Assembly of the Island of Grenada and its Dependencies, and it is hereby enacted by the authority of the same, That from and after the passing of this Act, all writs and other process, both civil and criminal, to be hereafter issued by virtue of the said recited clauses of the said several Acts, shall run, as usual, in His Majesty's name, and bear teste in the name, and under the seal, of the senior Assistant Justice of the Supreme Court of Judicature, then being on the Island, and not being a party in a suit, during the suspension of the said Jeffery Hart Bent, from the exercise of the duties of the office of Chief Justice, or during the suspension of any Chief Justice that may hereafter be appointed.

Clause I.

All writs and other process both civil & criminal, to run in His Majesty's name, and be tested under seal of the senior Assistant Justice, then in the Island, during the suspension of Chief Justice Bent, or during the suspension of any future Chief Justice.

Preamble.

And whereas process may have issued by virtue of the said recited clauses of the said several Acts, subsequent to such suspension as aforesaid, and doubts may arise whether such process may have been properly issued; be it therefore enacted by authority aforesaid, That all and every the writs and writs which may have issued, tested in the name of the said Chief Justice, subsequent to such suspension, shall be, and the same are hereby declared to be, as valid and effectual in Law, as if such suspension of the said Chief Justice had not taken place.

Clause II.
Writs and process issued and tested in the name of Chief Justice Bent, subsequent to his suspension declared valid and effectual.

No. LXV.

An Act to amend and explain an Act, intituled, "An Act to alter and amend an Act, intituled, an Act to reduce into one Act, all the Laws now in force relating to the establishment and regulation of a Militia in the Islands of Grenada and Carriacou, and to that end to repeal the said Laws, and to substitute in their stead and place this present Act." [November 14, 1829.]—Left to its operation by Order in Council, dated 31st January, 1831.

No. LXVI.

An Act to define and establish the relative rights of Masters and Apprentices. (December 30, 1829.)—Left to its operation by Order in Council, dated 31st January, 1831.

- Preamble.** WHEREAS, it frequently happens, that persons serving under Indentures of Apprenticeship, wantonly absent themselves from the service of their masters or mistresses, to whom they may have been bound for a term of years, and refuse to fulfil the engagement so entered into; and it is necessary to define, regulate and establish by law, the rights and privileges of masters and apprentices in relation to each other:
- Clause I.** Be it therefore enacted, by his Honor the President and Commander-in-Chief, the Honorable the Council and the Assembly of the Island of Grenada and its Dependencies, and it is hereby enacted by authority of the same, That from and after the passing of this Act, it shall and may be lawful for any person within this Government, openly exercising any handicraft, trade, or profession therein, to take and receive one or more apprentices, for the purpose of instructing in the art, manner, or mystery of such handicraft, trade, or profession, aforesaid, so exercised by any such said person, the same to be subject to the provisions and regulations hereinafter contained.
- Clause II.** And be it enacted, by the Authority aforesaid, That it shall and may be lawful, for the parent or nearest relation, or guardian, having charge of any boy or girl, not being under twelve years of age, and who shall be consenting thereto, to bind him, or her, for a term of years, as apprentice, to any competent person, openly exercising some handicraft, or trade, or profession, within this Colony, in order that such boy or girl may duly learn, and be instructed in the science, or art, or mystery, of such said handicraft, trade, or profession; and the deed of contract or indenture by which such said Apprentice shall be bound, shall be signed by the said parent, relation, or guardian of such said boy or girl, and also, by him or her, the said boy or girl, and lastly, by the party to whom the said boy or girl is intended to be bound, and shall be delivered to such said last-mentioned party; and a duplicate of the said deed of Indenture, signed in the same manner, by the respective parties aforesaid, shall be given to, and kept by the said parent, guardian, or relative, so binding such apprentice; and the terms or obligation set forth and contained in the said Indenture, shall be mutually and reciprocally binding upon the parties so signing as aforesaid, and shall be taken, received and construed, as bona fide evidence of such contract or engagement, according to the terms or obligation therein contained, by all Judges, Justices of the Peace, and Jurors, within the said Colony: Provided nevertheless, that no person whatsoever, shall be bound apprentice for a longer term than seven years, nor for a shorter than three years, and
- Persons exercising any handicraft, trade, or profession, authorized to take apprentices, for the purpose of instruction in such trade or profession.**
- Parents or nearest relations of boys and girls not under twelve years, authorized to bind them apprentices.**
- Indenture to be signed by the parties, and duplicate thereof given to the Relation or Guardian, to be mutually binding, and to be taken as evidence by Judges, Justices, and Jurors.**
- Proviso.** No person to be bound more than seven years, nor less than three years.

that no contract of service as apprentice, shall be valid or binding upon any person, beyond and after the time that he or she reaches the age of twenty-one years.

No indenture to be binding after twenty-one years of age.

And be it further enacted, That if any regularly indented apprentice, shall, without leave, absent himself from his, or her master's or mistress's employ or service, during the term of such apprenticeship, and shall remain absent for the space of forty-eight hours, or any longer space, without sufficient cause, such apprentice, upon proof of the fact, by oath, of the said master, mistress, or other creditable person, before any one or more of His Majesty's Justices of the Peace, for the Parish in which the complaint shall be made, shall be adjudged by the said Justice or Justices, to serve an additional term of two days, for every day of absence as aforesaid; and in order that the same may not be liable to future misunderstanding, such judgment or sentence shall be endorsed upon the respective deeds of Indenture of apprenticeship, and shall be signed by the said Justice or Justices, and shall be good, valid, and binding upon the said party so complained against as aforesaid; and it shall and may be further lawful for any one or more Justice or Justices of the Peace, before whom any apprentice shall be brought, and charged upon the oath of his master or mistress, with being wilfully obstinate, refractory, disobedient, or incorrigible, or with having been guilty of any other fault or malpractice, beyond the right or power of his said master or mistress to correct, then, it shall and may be lawful for the said Justice or Justices, upon due proof thereof, to commit such said apprentice to the common gaol, for any term not exceeding fifteen days, at the discretion of such said Justice or Justices.

Clause III.
Apprentices absenting themselves from their master's or mistress's services, how to be dealt with.

Justice's sentence to be endorsed upon Indentures.

Obstinate and refractory apprentices, how to be dealt with.

And be it further enacted, That if any master or mistress shall maltreat, or cause to be maltreated, or wantonly or improperly punish, or cause to be punished, or otherwise ill-use any apprentice, in his or her employ, such said master or mistress, upon due proof of the same, by oath of the party injured, and one other creditable witness, before one or more Justice or Justices of the Peace, shall and may be adjudged to make such reasonable compensation to the party complainant, as in the opinion of the said Justice or Justices may suffice; and at the option of the said Justice or Justices, may further be bound over to keep the peace toward the complainant, for, and during the remaining term of his or hers, the said complainant's apprenticeship; and the said Justice or Justices, shall and may, and he or they are hereby authorized and empowered, when such maltreatment shall be of a nature to warrant the same, to cancel the bond of Indenture altogether, and to release the said apprentice from the further service and control of him, or her, the said master or mistress, and further to bind him or her, the said master or mistress, over to appear to a bill or bills of indictment, to be preferred against him or her, for such said misconduct.

Clause IV.
Masters or Mistresses ill-treating their apprentices, how to be dealt with.

Justices may, in certain cases, cancel indentures, and bind over master or mistress to appear to bill of indictment.

And be it further enacted, That in all and every instance, where apprentices are liable to serve in the Militia of these Islands, the master or mistress of any such said apprentice, shall, and he or she is hereby required and directed, to furnish him with the necessary clothing and appointments, and enable him, the said apprentice, to appear in the said Militia, clothed according to the provisions of the Militia Acts now in force.

Clause V.
Apprentices, liable to militia service, to be furnished with necessary clothing and appointments, by their masters or mistresses.

No. LXVII.

An Act to authorize the sale of the real Estate in the Island Private. of Carriacou, of William Davidson, a lunatic, and the conveyance of certain lands sold, or contracted to be sold by William Davidson, deceased, the Father of the said lunatic, and for other purposes. [September 13, 1830.]—Ratified, confirmed, and finally enacted by Order in Council, dated 23rd March, 1831.

No. LXVIII.

An Act for vesting the old Court House Lot in Trustees, for the purposes therein mentioned. [*September 13, 1830.*]

Preamble.

Resolution of Council and Assembly, of 18th May, 1830.

WHEREAS, by a vote of the Council and Assembly of these Islands, bearing date the eighteenth day of May, last past, it was resolved, That the lot of Land in the Town of Saint George, known by the name of "The Old Court House Lot," should be granted for the purpose of erecting a Church for the performance of Divine Service, according to the Presbyterian form of worship; And whereas, it is expedient for the better carrying the object of the said resolution into effect, that the said Lot should be vested in Trustees to be named for that purpose; We, therefore, Your Majesty most dutiful, loyal, and obedient subjects, His Excellency Major-General Sir James Campbell, Knight Commander of the Most Honorable and Military Order of the Bath, Governor and Commander-in-Chief of the Your Majesty's Islands of Grenada, and such of the Grenadines as lie to the Southward of Carriacou, including that Island, The Honorable the Members of Your Majesty's Council, and the General Assembly of the said Islands, pray Your most Excellent Majesty, that it may be enacted,

Clause I.

Old Court House Lot to cease to be a public lot, and to be vested in Trustees, for purpose herein-before mentioned.

And it is hereby enacted and ordained by Authority of the same, that by and with the consent of the said Governor, Council and Assembly, the aforesaid, that from and immediately after the publication of this Act, that Lot of Land, called or known by the name of "The Old Court House Lot," situate, lying and being in the Town of Saint George, in the Island of Grenada, shall cease to be a Public Lot, and that the Site of the ground of the said Lot, and the soil thereof, shall be, and is hereby vested and declared to be in the actual and real possession and seisin of the following Trustees, namely, The Honorable Andrew Houstoun, The Honorable John Hoyes, The Honorable William Swap, George Macewan, William Stephenson, and William Crawford, Esquires, and their successors for ever, for the uses herein-before mentioned,

Clause II.

Vacancies of Trustees, to be filled up by joint resolution of Council and Assembly.

And be it enacted by the Authority aforesaid, That in all cases of Vacancies and Vacancies, by death or absence from the said Island, in the number of Trustees herein-before named and appointed, in all and every such cases and cases, as often as the same shall happen, every such vacancy shall be filled up by the joint resolution of the Council and Assembly.

Clause III.

Declared a Public Act.

And be it further enacted, That this Act shall be deemed and taken to be a public Act, and shall be judicially taken notice of, by all the Judges and Justices, and all persons whatsoever, without specially pleading the same.

No. LXIX.

Vide Act.

No. 9.
19.
22.
39.
40.
98.

An Act to extend the limits of the Bay and Harbour of Saint George, in respect to the Commissioners thereof. [*August 2, 1831.*—Left to its operation by Order in Council, dated 9th December, 1833.

Preamble.

Recites Act, No. 9, six, intituled, "An Act for the preservation of the Harbour and Bay of Saint George, appointing regulations to be observed by Masters of Ships and other Vessels coming into, and anchoring therein, for empowering the Commander-in-Chief to appoint a Harbour Master, and for fixing

WHEREAS, by part of the third Clause of an Act of these Islands, bearing date the third day of February, One Thousand Seven Hundred and Seventy six, intituled, "An Act for the preservation of the Harbour and Bay of Saint George, appointing regulations to be observed by Masters of Ships and other Vessels coming into, and anchoring therein, for empowering the Commander-in-Chief to appoint a Harbour Master, and for fixing

"his salary:" the limits of the Bay and Harbour of Saint George are defined to extend from the mouth of the River, to the South point of the Harbour, known by the name of Monckton's redoubt: And whereas, by an Act of these Islands, passed upon the Twenty-first day of October, One Thousand Seven Hundred and Eighty-five, intituled, An Act, to amend an Act, intituled, "An Act for the preservation of the Harbour and Bay of Saint George, appointing regulations to be observed by Masters of Ships and other Vessels coming into and anchoring therein, for empowering the Commander-in-Chief to appoint a Harbour Master, and for fixing his salary, and for limiting the boundaries of Town Lots and Wharfs, from encroaching on the said Harbour," certain Commissioners were appointed for carrying the purposes of such said in part recited Act into execution, and the mode of filling up any vacancies that might from time to time take place, in the said commission, prescribed and enacted; And whereas, it is highly necessary, that some means should be immediately adopted to guard against the danger arising from the shoals and reefs in the said Bay, and it is expedient that the limits of the said Harbour, as laid down by Law should be extended to enable the said Commissioners to take such precautions as may be best suited to the exigency of the case, in order to which,

Recites Act, No. 19.

Be it enacted, by the Governor, Council and Assembly of these Islands, and it is hereby enacted by Authority of the same, That from and after the passing of this Act, the limits and boundaries of the said Bay and Harbour shall be understood to extend from the point of Land called or known by the name of Point Molinier, upon the Northward, to the Point De Salines, upon the Southward, anything in the before-mentioned Acts, or in any other, to the contrary thereof, notwithstanding.

Clause I.
Limits and boundaries of Bay and Harbour of St. George, defined.

And be it further enacted, by the Authority aforesaid, That the present Commissioners of the Harbour and Bay of Saint George, and their successors, shall be, and are hereby empowered, to lay down and place buoys upon the several shoals and reefs within the said last mentioned limits of the Bay, and to exercise, upon all occasions, and in every respect within the aforesaid limits of the said Bay and Harbour, the several powers and authorities vested in them by the respective Acts of the Legislature of these Islands in such case and for such purposes made and provided, anything to the contrary thereof, in any wise, notwithstanding.

Clause II.
Commissioners empowered to lay down and place buoys on shoals, reefs, &c., and to exercise within said limits, all authorities vested in them by Acts of the Legislature.

No. LXX.

An Act to amend an Act, intituled, "An Act for establishing a Supreme Court of Judicature, and uniting therein the jurisdictions of the several Courts of King's Bench and Grand Sessions of the Peace, and Common-Pleas, heretofore established in this Island." [September 16, 1831.]—Left to its operation by Order in Council, dated 9th December, 1833.

WHEREAS, by the fourth Clause of an Act, passed on the fourth day of October, in the year of our Lord, One Thousand Eight Hundred, intituled, "An Act for establishing a Supreme Court of Judicature, and uniting therein the jurisdictions of the several Courts of King's Bench and Grand Sessions of the Peace, and Common-Pleas, heretofore established in this Island," it is enacted, amongst other things, that before any person to be appointed a Justice of the said Supreme Court, shall be qualified to sit therein, he shall take the Oaths and subscribe the Test, appointed by Law to be taken and subscribed by persons in posts or places of trust, and shall moreover, previous to his sitting as such, take the following oath, viz.:

Preamble.

Recites Act, No. 30.

"I, A, B. do swear, that according to the best of my skill and know-

ledge, I will do impartial justice, according to Law, between the King and his subjects, and between subject and subject, as Chief or Assistant Justice of His Majesty's Supreme Court of Judicature for these Islands, without fear, favour, or partiality—So help me God."

Which Oath shall be administered to the Chief Justice, in Council, and to the other Assistant Justices, for the time being, before the Chief Justice in open Court; And whereas, it is expedient that the said recited Act should be amended, in so far as relates to the administration of the said Oath thereby required to be taken by any person or persons to be appointed Assistant Justice or Justices;

Clause I.
So much of Act of 4th Oct., 1800, as requires oath to be taken by Assistant Justices before the Chief Justice, in open Court, repealed.

Be it therefore enacted, by His Excellency the Governor and Commander-in-Chief, the Honorable the Members of His Majesty's Council and the House of Assembly of these Islands, and it is hereby enacted and ordained by authority of the same, That so much of the said recited Clause of the said Act, as requires that the oath therein specified to be taken by the Justices of the Supreme Court of Judicature, shall be administered to the Assistant Justices for the time being, before the Chief Justice, in open Court, shall be, and the same is hereby repealed and made void.

Clause II.
Oath required to be taken by Justices of Supreme Court of Judicature to be administered to such Assistant Justices in Council.

And be it enacted, by the Authority aforesaid, That the said Oath, in the said recited Clause, of the said Act, required to be taken by the Justices of the said Supreme Court of Judicature, shall be administered to any person or persons who shall be hereafter appointed an Assistant Justice or Assistant Justices of the said Supreme Court of Judicature, in Council, in like manner as the same is by the said recited Act, directed to be administered to the Chief Justice of the said Supreme Court of Judicature.

Clause III.
Clergyman not to hold the appointment of Assistant Justice.

And be it enacted, That it shall not be lawful, from and after the passing of this Act, for any Clergyman of the Church of England, Minister of the Kirk of Scotland, Pastor of the Roman Catholic Church, or Minister of any dissenting Sect or Denomination of Christians, to hold or exercise the appointment of Assistant Justice or Judge of any of the Courts of Judicature of this Island.

No. LXXI.



An Act to render valid the Registry of all such Marriages, Baptisms and Burials in the several Parishes of these Islands, as may not have heretofore been witnessed and attested according to Law, and render such signature or attestation unnecessary in future. [December 16, 1831.]—Left to its operation by Order in Council, dated 9th December, 1833.

Preamble.
Recites Act, No. 37.

WHEREAS, by an Act of these Islands, bearing date the eleventh day of December, one thousand eight hundred and seven, commonly called the Clergy Act, it is required, that in addition to the signature of the officiating Minister, performing any Baptism, Marriage or Burial, the entry of the same in the Parish Register, should be attested by the Clerk of the same Cure, or in case of his absence, by some one person at least, who was present at the performing of the said service; And whereas, much inconvenience may arise in consequence of the omission, in many instances, of the required attestation, and it is expedient, that the defect aforesaid should be remedied,

Clause I.
Every entry heretofore made in the Registers, having the signature of the Rector or officiating minister, deemed sufficient notwithstanding attestation

Be it therefore enacted, by the Governor, Council, and Assembly of these Islands, and it is hereby enacted, by authority of the same, That from and after the passing of this Act, every entry which has been made in the Registers of the several Parishes of these Islands, having the signature of the Rector or officiating Minister alone, affixed thereto, shall be deemed sufficient evidence of every such Baptism, Marriage or Burial therein en-

of Clerk, &c., has been omitted. To all future entries in Registers, signatures of Rectors, or officiating Ministers, sufficient to render same valid and legal.

Clause II.
After passing this
Act every entry of
Baptism to be made,
according to the
form prescribed by
annexed Schedule A.

Marriages according to Schedule B.

SCHEDULE A.

Baptisms solemnized in the Parish of _____ in the Island of Grenada, in the year _____

When baptized.	Child's Christian name.	PARENT'S NAME.		Abode.	Quality, trade or profession.	By whom the ceremony was performed.
		Christian.	Surname.			

SCHEDULE B.

Marriages solemnized in the Parish of

A. B. of { the } Parish.
and { this }
C. D. of { the } Parish.
{ this }
were married in this { Church } by { Bans } with consent of { Parents }
{ Chapel } { Licence } { Guardians }
this day of in the year by me E. F. { Rector }
This marriage was solemnized between us { A. B. } { Vicar }
{ C. D. } { Curate }
in the presence of { G. H. }
{ J. K. }

SCHEDULE C.

<i>Burials in the Parish of</i>		<i>in the Island of Grenada, in the year</i>		
Name.	Abode.	When buried.	Age.	By/whom the ceremony was performed.
No. 1.	Town of	1831.	82	J. C. B.
John Wilson,	St. George.	November 17.		

No. LXXII.

Amended by Acts, Nos. 80.
111.
116.
181.

An Act to repeal an Act, intituled, An Act to assimilate the Criminal Code of the Island of Grenada and its Dependencies, as near as may be to the Criminal Code of England, relative to offences against the Person," and to substitute this Act in lieu thereof. [*December 16, 1831.*].—Left to its operation by Order in Council, dated 9th December, 1833.

Preamble. WHEREAS, it is expedient that an Act of these Islands passed on the fifteenth day of September, in this present year, one thousand eight hundred and thirty-one, intituled, "An Act to assimilate the Criminal Code of the Island of Grenada and its Dependencies, as near as may be to the Criminal Code of England, relative to offences against the person," should be repealed, the provisions thereof having been found insufficient for carrying into execution the purposes intended by the said above-mentioned Act ;

Clause I. Be it therefore enacted, by the Governor, Council and Assembly of these Islands, and it is hereby enacted, by authority of the same, that the said Act, intituled, "An Act to assimilate the Criminal Code of the Island of Grenada and its Dependencies, as near as may be to the Criminal Code of England, relative to offences against the person," and every matter, clause and thing therein contained, shall be, from and after the passing of this Act, repealed, and declared null and void, and the same is hereby repealed accordingly.

Preamble. And whereas, it is expedient that the Criminal Code of this Island of Grenada and its Dependencies, as far as relates to offences against the person, should be assimilated to the Criminal Code of England ; Be it therefore further enacted, That every offence, which, before the commencement of this Act, would have amounted to Petit Treason, shall be deemed to be murder only, and no greater offence, and all persons guilty in respect thereof, whether as principals or as accessories, shall be dealt with, indicted, tried, and punished as principals and accessories in murder.

Clause III. And be it enacted, that every person convicted of Murder, or of being an accessory before the fact, to murder, shall suffer death as a Felon, and every accessory after the fact to murder, shall be liable, at the discretion of the Court, to be transported, beyond the seas for life, or to be imprisoned, with or without hard labour, in the common gaol or house of correction for any term not exceeding four years.

Clause IV. And be it enacted, That every person convicted of murder, shall be executed, according to Law, on the day next but one after that on which the sentence shall be passed, unless the same shall happen to be Sunday, and in that case on the Monday following, and the body of every murderer shall, after execution, either be dissected or hung in Chains, as to the Court shall seem meet, and

sentence shall be pronounced immediately after the conviction of every murderer, unless the Court shall see reasonable cause for postponing the same, and such sentence shall express not only the usual judgment of death, but also the time and place (which last, the Court is hereby authorized to direct), for the execution thereof, and that the body of the offender shall be dissected or hung in Chains, whichever of the two the Court shall order: Provided always, that after such sentence shall have been pronounced, it shall be lawful for the Court or Judge to stay the execution thereof, if such Court or Judge shall think so fit.

And be it enacted, That whenever dissection shall be ordered by such sentence, the body of the murderer shall be delivered, by the Provost Marshal General, or his lawful Deputy, to any Surgeon willing or desirous of dissecting the same; and if no Surgeon can be procured to dissect such body, then the said Provost Marshal General, or his lawful Deputy, shall and may cause such body to be interred without dissection.

Clause V.
Repealed by Act,
No. 181.

And be it enacted, That every person convicted of Murder, shall, after Judgment, be confined in some safe place within the prison apart from all the other prisoners, and shall be fed with bread and water only, and with no other food or liquor except in case of receiving the Sacrament, or in case of any sickness or wound, in which case the Surgeon of the Prison may order other necessaries to be administered, and no person, but the Gaoler, and his servants, and the Chaplain and Surgeon of the Prison shall have access to any such convict, without the permission, in writing, of the Court or Judge before whom such convict shall have been tried, or of the Provost Marshal General, or his lawful Deputy. Provided always, that in case the Court or Judge shall think fit to respite the execution of such convict, such Court or Judge may in or out of Court, by a licence, in writing, relax, during the period of the respite, all or any of the restraints or regulations hereinbefore directed to be observed.

Clause VI.
Repealed by Act,
No. 181.

And be it enacted, that every person convicted of Manslaughter shall be liable at the discretion of the Court to be transported beyond the seas for life, or for any term not less than Seven years, or to be imprisoned, with or without hard labour, in the Common Gaol, or house of correction, for any term not exceeding four years, or to pay such fine as the Court shall award:

Clause VII.
Persons convicted
of Manslaughter,
how to be punished.

Provided always, and be it enacted, That no punishment or forfeiture shall be incurred by any person who shall kill another by misfortune, or in his own defence, or in any other manner, without Felony.

Clause VIII.
Person killing another
by misfortune,
not punishable.

Clauses IX. X. XI. repealed by Act, No. CXVI.

And be it enacted, That if any woman shall be delivered of a child, and shall, by secret burying, or otherwise disposing of the dead body of the said child, endeavour to conceal the birth thereof, every such offender shall be guilty of a misdemeanor, and, being convicted thereof, shall be liable to be imprisoned with or without hard labour, in the Common Gaol, or house of correction, for any term not exceeding two years; and it shall not be necessary to prove whether the child died before, at, or after its birth: Provided always, That if any woman tried for the murder of her child, shall be acquitted thereof, it shall be lawful for the Jury, by whose verdict she shall be acquitted, to find, in case it shall so appear in evidence that she was delivered of a child, and that she did, by secret burying, or otherwise disposing of the dead body of such child, endeavour to conceal the birth thereof, and thereupon, the Court may pass such sentence as if she had been convicted upon an Indictment, for the concealment of the birth.

Clause XII.
Any woman delivered
of a child, secretly
burying dead
body, &c., to conceal
birth, &c., guilty of
misdemeanour, and
liable to be imprisoned:
not necessary to prove
whether child died before
or after birth.
Provided, if woman
tried for murder of
her child be acquitted,
lawful for Jury
to find facts of delivery,
and concealment, and
Court to pass sentence
according to minor
offence.

And be it enacted, That every person convicted of the abominable crime of Buggery, committed either with mankind, or with any animal, shall suffer death as a Felon.

Clause XIII.
Buggery punishable
with Death.

And be it enacted, That every person convicted of the crime of Rape, shall suffer death as a Felon.

Clause XIV.
Rape.
Vide Act, No. 111.

And be it enacted, That if any person shall unlawfully and carnally know and abuse any girl, under the age of ten years, every such offender

Clause XV.
Any person carnally

knowing and abusing any Girl under ten years, guilty of felony, and suffer death; and any person so knowing and abusing any Girl, above ten and under twelve, guilty of misdemeanor, and be imprisoned with or without labor, at discretion of Court. Vide Act, No. 111.

shall be guilty of Felony, and being convicted thereof, shall suffer death as a Felon, and if any person shall unlawfully and carnally know and abuse any girl, being above the age of ten years, and under the age of twelve years, every such offender shall be guilty of a misdemeanor, and being convicted thereof, shall be liable to be imprisoned, with or without hard labour, in the common gaol, or house of correction, for such term as the Court shall award.

Preamble.

And whereas, upon trials for the crimes of Buggery and of Rape, and of carnally abusing girls under the respective ages, hereinbefore mentioned, offenders frequently escape, by reason of the difficulty of the proof, which has been required of the completion of those several crimes, for remedy thereof, Be it enacted, that it shall not be necessary, in any of those cases, to prove the actual emission of seed, in order to constitute a carnal knowledge, but that the carnal knowledge shall be deemed complete upon proof of the penetration only.

Clause XVI.

Upon trials for Buggery, Rape, or abuse of Girls, proof of penetration only sufficient.

Clause XVII.

Any person who for lucre, shall take away or detain any woman, having an interest in any real or personal estate, or be an Heiress presumptive, and with intent to marry or defile, or cause her to be married or defiled, against her will, offender or abettor guilty of felony, and liable to be transported for life, or for term of years, or to be imprisoned.

And be it further enacted, That when any woman shall have any interest, whether legal or equitable, present or future, absolute, conditional or contingent, in any real or personal estate, or shall be an heiress presumptive, or next of kin to any one having such interest, if any person shall, from motives of lucre, take away or detain such woman against her will, with intent to marry or defile her, or to cause her to be married or defiled by any other person, every such offender, and every such person, counselling, aiding, or abetting such offender, shall be guilty of Felony, and being convicted thereof, shall be liable to be transported beyond the seas for life, or for any term not less than seven years, or to be imprisoned with or without hard labour in the common gaol or House of correction, for any term not exceeding four years.

Clause XVIII.

Any person unlawfully taking away unmarried girl, under fourteen years, out of possession of her father, &c., guilty of misdemeanor, and liable to be fined and imprisoned.

And be it enacted, That if any person shall unlawfully take or cause to be taken, any unmarried girl, being under the age of fourteen years, out of the possession, and against the will of her father or mother, or of any other person having the lawful care or charge of her, every such offender shall be guilty of a misdemeanor, and being convicted thereof, shall be liable to suffer such punishment by fine, or by imprisonment, or by both, as the Court shall award.

Clause XIX.

Any married person, marrying again during life of former husband or wife, offender and abettors guilty of felony, and liable to transportation or imprisonment.

And be it enacted, That if any person, being married, shall marry any other person, during the life of the former husband, or wife, whether the second marriage shall have taken place in Grenada, or any of its Dependencies, or elsewhere, every such offender, and every person counselling, aiding, or abetting such offender, shall be guilty of Felony, and being convicted thereof, shall be liable to be transported beyond the seas, for the term of seven years, or to be imprisoned with or without hard labour in the common gaol or house of correction, for any term not exceeding two years, and any such offence may be dealt with, enquired of, tried, determined, and punished in this Island; Provided always, That nothing herein contained shall extend to any second marriage contracted out of the King's dominions by any other than a subject of His Majesty, or to any person marrying a second time whose husband or wife shall have been continually absent from such person for the space of seven years then last past, and shall not have been known by such person to be living within that time, or shall extend to any person who at the time of such second marriage shall have been divorced from the bond of the first marriage, or to any person whose former marriage shall have been declared void by the sentence of any Court of competent jurisdiction.

Proviso.

Not to extend to marriage, contracted out of King's dominions, by other than a subject of His Majesty, or to person whose husband, or wife, shall have been absent for seven years, or divorced from first marriage, or whose marriage has been declared void by competent authority.

Clause XX.

Any person arresting a clergyman, upon civil process, while performing Divine Service, or

And be it enacted, That if any person shall arrest any licenced Clergyman upon any civil process, while he shall be performing Divine Service, or shall, with the knowledge of such person, be going to perform the same, or returning from the performance thereof, every such offender

shall be guilty of Misdemeanor, and being convicted thereof, shall suffer such punishment, by fine or imprisonment, or by both, as the Court shall award.

And be it enacted, That if any person shall assault and strike, or wound any Magistrate, Officer, or other person, whatsoever, lawfully authorized, on account of the exercise of his duty in, or concerning the preservation of any vessel in distress, or of any vessel, goods, or effects wrecked, stranded, or cast on shore, or lying under water, every such offender, being convicted thereof, shall be liable to be transported beyond the seas, for the term of seven years, or to be imprisoned, with or without hard labour, in the common gaol, or house of correction, for such term, as the Court shall award.

Clause XXI.
Any person assaulting a Magistrate or Officer, in the exercise of his duty, or in or concerning the preservation of any vessel, or goods wrecked, to be transported for seven years or be imprisoned with or discretion of Court.

And be it enacted, That where any person shall be charged with, and convicted of, any of the following offences as Misdemeanors, that is to say, of any assault with intent to commit Felony, of any assault upon any Peace Officer, or Revenue Officer, in the due execution of his duty, or upon any person acting in aid of such Officer, of any assault upon any person with intent to resist or prevent the lawful apprehension or detainer of the party so assaulting, or of any other person, for any offence for which he or they may be liable by Law to be apprehended or detained, or of any assault committed in pursuance of any conspiracy, to raise the rate of wages, in any such case the Court may sentence the offender to be imprisoned with or without hard labour, in the common gaol or house of correction, for any term not exceeding two years, and may also (if it shall so think fit) fine the offender, and require him to find sureties for keeping the Peace.

Clause XXII.
Any person convicted of assault, with intent to commit felony, or upon any Peace Officer, in execution of duty, or person aiding, or of any assault upon any person with intent to prevent lawful apprehension of any assault pursuant to a conspiracy to raise wages, to be imprisoned, with or without labor, for two years, and be fined, and bound to keep the peace.

And be it enacted, That every accessory, before the fact to any Felony, punishable under this Act, for whom no punishment has been hereinbefore provided, shall be liable, at the discretion of the Court, to be transported beyond the seas, for any term not exceeding fourteen years, nor less than seven years, or to be imprisoned, with or without hard labour, in the common gaol or house of correction, for any term not exceeding three years, and every accessory, after the fact, to any Felony, punishable under this Act (except murder) shall be liable to be imprisoned, with or without hard labour, in the common gaol, or house of correction, for any term not exceeding two years, and every person who shall counsel, aid, or abet the commission of any Misdemeanor, punishable under this Act, shall be liable to be proceeded against, and punished as a principal offender.

Clause XXIII.
Every accessory before fact to felony, liable at discretion of Court, to be transported for term not exceeding fourteen years, or less than seven years, or imprisonment with or without labor, for two years, and accessories after fact to any felony, except murder, to be imprisoned with or without labor for two years; abettors to be proceeded against as principals.

And be it further enacted, That from and after the passing of this Act, every person convicted of any Felony, punishable with Death by this Act, shall be absolutely debarred and excluded of and from the benefit of Clergy; any law, usage, or custom, to the contrary, notwithstanding.

Clause XXIV.
Every person convicted of felony, punishable with Death, excluded from benefit of Clergy.

No. LXXIII.

An Act for altering and amending the Law regarding Commitments by the Court of Chancery, for contempts, and the taking Bills pro confesso. [December 16, 1831.]—Left to its operation by Order in Council, dated 9th December 1833.

WHEREAS, by an Act of the Legislature of these Islands, passed in the twenty-fourth year of the reign of his late Majesty, George the Third, intituled, "An Act for rendering the process in the Court of Chancery effectual in certain cases, against persons, who, being out of the jurisdiction of the Court, refuse to appear thereto," a certain Act or Statute of the Parliament of Great Britain, made in the fifth year of the reign of King George the Second, intituled an Act for making process in Courts of Equity

Preamble.
Recites Act, No. 15.

effectual against the persons who abscond, and cannot be served therewith, or who refuse to appear, is referred to, and the proceedings of the Court of Chancery of these Islands are directed in certain cases to be in conformity thereto; And whereas, such last-mentioned Act hath been altogether repealed, by an Act of the United Kingdom of Great Britain and Ireland, passed in the eleventh year of the reign of his late Majesty, King George the Fourth, and the first year of the reign of his present Majesty, intituled "An Act for altering and amending the Law regarding Commitments by Courts of Equity, for contempts, and the taking Bills pro confesso;" provisions have been made, analogous, in many respects, to the Act so repealed as aforesaid, and it is expedient that provisions of a similar nature should be adopted and enforced in these Islands;

Clause I.
So much of Act of these Islands, of 24th George III, as adopts provisions of 5th George II, repealed.

Be it therefore enacted, by His Excellency the Governor and Commander-in-Chief, the Honorable the Members of His Majesty's Council, and the Representatives of the People of these Islands, in General Assembly convened, and it is hereby enacted and ordained by authority of the same, that so much of the said recited Act of these Islands, passed in the Twenty-fourth year of the reign of his late Majesty, George the Third, as adopts the provisions of the said recited Act of the fifth year of the Reign of King George the Second, shall be hereafter, and the same is hereby repealed, but so as not to affect any thing done or executed in pursuance thereof.

Clause II.
In all cases where reference made by 24th George III, to 5th George II, the parts of recited Act of 11 George IV, and 1st William IV, applicable to such cases, to be substituted in lieu of provisions of 5th Geo. II, and proceedings of Court of Chancery of these Islands, in all such cases, shall be in conformity to Acts of 11th George IV, and 1st William IV, and all matters now in progress, under Act of 5th George II, not completed, to be so, under authority of this Act.

And be it further enacted, That in all cases where reference is made by the said recited Act of these Islands, passed in the twenty-fourth year of the reign of King George the Third, to the said Act of the fifth year of the reign of King George the Second, the parts of the said recited Act of the eleventh year of the reign of his late Majesty King George the Fourth, and first year of the reign of his present Majesty, applicable to such cases, shall be deemed and taken to be substituted, and they are hereby substituted in lieu of the provisions of the said Act of the fifth year of his late Majesty King George the Second, and the proceedings of the said Court of Chancery of these Islands, shall in all cases be in conformity with the said several Acts or Statutes of the eleventh year of the reign of his late Majesty, King George the Fourth, and of the first year of the reign of his present Majesty, King William the Fourth, respectively, and any suit, matter, or thing, now in progress under the authority of the said Act, of the fifth year of the reign of King George the Second, and not completed, shall or may be completed under the powers of this Act, and all the powers of this Act, shall or may be exercised, as well in regard to new suits, commitments, discharges, conveyances, matters or things, as to suits, commitments, discharges, conveyances, matters or things now subsisting, or remaining to be made done or perfected, whether the powers of the said Act in the fifth year of the reign of King George the Second, shall or shall not have been applied thereto.

Clause III.
If any Defendant brought into Court by writ of Habeas Corpus or other process of the Court of Chancery, or confined in gaol under attachment, or other process of contempt, shall, after fourteen days previous notice, refuse or neglect to enter his appearance according to the rules or practice of the Court, or to appoint a Counsel and Attorney to act in his behalf, Court may appoint such to enter such appearance, and proceedings may

And be it further enacted That if any defendant by virtue of any writ of Habeas Corpus, or other process, issuing out of the Court of Chancery of these Islands, shall be brought into Court, and shall refuse or neglect, or being confined in the common gaol of these Islands, under, or charged with an attachment, or other process of contempt, shall, after fourteen days previous notice, in writing, requiring him to enter an appearance, refuse or neglect to enter his appearance according to the rules or practice of the said Court, or to appoint a counsel or attorney of such Court to act on his behalf, such Court may appoint a Counsel and Solicitor of such Court, to enter an appearance for such defendant, and such proceedings may thereupon be had in the cause as if the party had entered his appearance according to the course and practice of the said Court; and whereas, it is expedient to alter and amend the law relating to commitments by the Court of Chancery of these Islands for contempts, as in force in England, to these Islands, as far as circumstances will permit:

be had thereupon as if such Defendant had entered his appearance, according to practice of the Court.

Be it further enacted, that the rules and regulations hereinafter provided, and contained, shall be adopted by the Court of Chancery of these Islands, and shall, from henceforth, become orders, and rules of the said Court of Chancery of these Islands, and be observed and enforced in and by the said last mentioned Court (that is to say), 1st, That when a writ of attachment shall have duly issued against any Defendant for contempt, in not answering the Bill, and such Defendant shall not have been taken under such writ, and the Provost Marshal general of these Islands, or his lawful Deputy shall make a return of *non est inventus* to the same, the Court shall, upon motion by, or on behalf of, the Plaintiff (notice of which shall not be required), order that the Serjeant at Arms attending the Court, do apprehend such Defendant, and bring him to the Bar of the Court, to answer his contempt, and the same proceedings may thereupon be had, as if such Order had been made in the manner heretofore in use, provided, that before such order shall, in any such case be made, the Plaintiff applying for the same shall be required to prove, to the satisfaction of the Court, by the affidavit of the Solicitor of the Plaintiff, or otherwise, that due diligence was used to ascertain the place where such Defendant was at the time of issuing such writ, and in endeavouring to apprehend such Defendant under the same, and that the person suing forth such writ, verily believed at the time of suing forth the same, that such Defendant was within the jurisdiction of the Court.

2d.—That if any Defendant being in contempt for not answering the Bill, shall have been brought to the Bar of the Court, under process for such contempt, and shall have been committed or remanded back to the gaol of these Islands, the Plaintiff may sue forth the writ of Habeas Corpus, in the manner and form heretofore in use in the like cases, provided, that there shall be at least twenty-eight days between the day on which such Defendant was so committed or remanded back, and the return of such writ of Habeas Corpus, and upon or after the return of such writ of Habeas Corpus, in case such Defendant shall not have put in his answer, the Court shall order the Bill to be taken *pro confesso*, against such Defendant, in the same manner as is now usual in the like cases, upon the return of a writ of Alias Pluries Habeas Corpus, and such decree shall thereupon be made as shall be thought just.

3d.—That the party prosecuting any contempt, shall be at liberty without order to sue forth the several writs in process of contempt, provided, that there be seven days between the teste and return of each of such writs.

4th.—That if the Defendant under process of contempt for not appearing or not answering, be in actual custody, and shall not have been sooner brought to the Bar of the Court, under process, to answer his contempt, the Plaintiff, if the contempt be not sooner cleared, shall bring the Defendant by an Habeas Corpus, to the Bar of the Court, within thirty days from the time of his being actually in custody, or detained (being already in custody), upon process of contempt, and where the Defendant is in custody of the Serjeant at Arms, or of the Messenger, upon an attachment or other process, the Plaintiff shall, within ten days after his being taken into such custody, cause the Defendant to be brought to the Bar of the Court, and in case any such Defendant shall not be brought to the Bar of the Court within the respective times aforesaid, the Provost Marshal General of these Islands, or his lawful Deputy, Gaoler or Keeper, Serjeant at Arms, or Messenger, in whose custody he shall be, shall thereupon discharge him out of custody, without payment by him of the costs of contempt, which shall be payable by the party on whose behalf the process issued, and this Rule shall apply to every Defendant in custody, before and at the time of passing of this Act, who shall not have been brought to the Bar of the Court.

5th.—That if a Defendant upon being brought to the Court upon an Habeas Corpus, shall make oath (which shall be administered to him by the Registrar, and he shall be examined in open Court), that he is unable,

Clause IV.
Rules and Regulations hereafter provided to be adopted by Court of Chancery, and henceforth to become orders and rules of the Court of Chancery of these Islands, and to be enforced and observed by such Court.

Rule 1.
Process to be observed in respect of Party being in contempt, for not answering Bill.

Rule 2.
Defendant being re-committed to Gaol, after being brought to the Bar of the Court, Plaintiff may sue forth writ of Habeas Corpus, and Court order Bill to be taken *pro confesso*, against Defendant.

Rule 3.
Seven days to be between teste and return of Writs in process of contempt.

Rule 4.
Plaintiff may bring Defendant, being under process for contempt, to Bar of Court within thirty days from the time of his being in custody (by Habeas Corpus) or within ten days if in custody of Serjeant at Arms, &c., upon attachment, and if not so brought to the Bar, to be discharged without Costs.

Rule 5.
Defendant making oath in open Court, that he is unable

from poverty to employ a Solicitor—proceedings thereon.

Rule 6.

Master to whom Prisoner's case may be referred by Court, to examine persons upon oath, and to call for production of Books, Papers, &c.

by reason of poverty, to employ a Solicitor to put in his answer, the Court shall thereupon refer it to a Master of the Court, to enquire into the truth of that allegation, and to report thereon to the Court forthwith, and thereupon the Court may make such order as upon other reports of the like nature under the provisions hereinafter contained.

6th,—That it shall be lawful for the Master to whom the case of a prisoner shall be referred by the Court itself, to examine the prisoner, and all other persons whom he may think it proper to examine upon oath, and to administer an oath or oaths to any such prisoner and other persons accordingly, and to cause any Officers, Clerks, and Ministers of any Court of Law, or Equity in these Islands, to bring and produce upon oath before him, any records, orders, books, papers, or other writings, belonging to the said Courts, or to any of the officers within the same as such officers.

Rule 7.

Court to appoint Guardian, where Prisoner appears to be an Idiot, &c.

7th,—That if it shall appear to the satisfaction of the Court, that any such prisoner is an idiot, lunatic, or of unsound mind, although no commission has issued, the Court shall appoint a guardian to put in his answer, and discharge the Defendant, providing for the Costs as shall seem just, and if the Court shall see fit, the defence may be made by such guardian in forma pauperis.

Rule 8.

Plaintiff may amend Bill, when Defendant being brought to Bar of Court, refuses and neglects to answer, &c.

Such amendment not to operate as a discharge of Defendant's complaint.

8th,—That when the Defendant has been brought to the Bar of the Court, for his contempt in not answering, and refuses and neglects to answer (not being idiot, lunatic, or of unsound mind) the Court may upon motion or petition, of which due notice shall be given personally to the Defendant, authorize the Plaintiff to amend his Bill, without such amendment operating as a discharge of the contempt, or rendering it necessary to proceed with the process of contempt de novo, but after such amendment, the Plaintiff may proceed to take the amended Bill, pro confesso, in the same manner as if it had not been amended; *Provided nevertheless*, that if the Defendant shall be desirous to answer such amended Bill, the Court shall allow him such time as shall seem just for that purpose, but if he shall not, within the time allowed by the Court, put in a sufficient answer to the amended Bill, the process for taking the Bill, pro confesso, may be resumed and carried on.

Rule 9.

Plaintiff, upon Defendant refusing or neglecting to answer within twenty-one days after having been brought to Bar, may, upon ten days notice, put in answer for Defendant.

9th,—That in every case where the Defendant has been brought to the Bar of the Court to answer his contempt, for not answering, and shall refuse or neglect to answer within the next twenty-one days, the Plaintiff shall be at liberty, with the leave of the Court, upon ten days previous notice to the Defendant, after the expiration of such twenty-one days, unless good cause be shewn to the contrary, instead of proceeding to have the Bill taken pro confesso, to put in such an answer to the Bill as hereinafter is mentioned in the name of the Defendant, without oath or signature, and thereupon the suit shall proceed in the same manner as if such answer were really the answer of the Defendant, with which the Plaintiff was satisfied, and the Costs of the contempt, and the putting in such answer, may be provided for in like manner, as if the Defendant himself had put in such answer, and such answer, besides the formal parts thereof, shall be to the following effect: That the Defendant leaves the Plaintiff to make such proofs of the several matters in the Bill alleged as he shall be able or be advised and submits his Interests to the Court.

Rule 10.

Court may order Defendant to remain in custody upon application to Plaintiff, when Bill has not been answered.

10th,—That in any case where, upon the application of the Plaintiff, the Court shall be satisfied that justice cannot be done to the Plaintiff without an answer to the Bill, or to the Interrogatories from the Defendant himself, it shall be lawful for the Court to order the Defendant to remain in custody, until answer, or further order, but without prejudice to the Plaintiff's availing himself of any of the provisions of this Act.

Rule 11.

Occasion when, and proceedings under which Bill may be taken pro confesso.

11th,—That where the Defendant is in contempt for not appearing or not answering, and in actual custody, under process for such contempt, or being already in custody, shall be detained by an attachment for such contempt, and shall not, where the contempt is for not appearing, enter an

appearance within twenty-one days after he is lodged in gaol or prison, or the attachment is lodged against him (he being already in prison) as the case may be, or where the contempt is for not answering, put in an answer within two calendar months after he is lodged in gaol or prison, or the attachment is lodged against him, he being already in prison, the Plaintiff shall (as the case may be) within fourteen days after the period computed from the expiration of the twenty-one days, within which he may, by the provisions of this Act, be able to enter such appearance, cause an appearance to be entered for the Defendant, under the powers of this Act, and shall, at the expiration of such two calendar months, proceed to take the Bill pro confesso, and shall accordingly obtain an order for taking the same pro confesso, within six weeks after the period computed from the expiration of such two calendar months, within which he may be able to take the same pro confesso, or, in default of so doing, in either of such cases the Defendant shall, upon application to the Court, be entitled to be discharged out of custody, without paying any of the costs of the contempt, unless the Court shall, under the power herein-before contained, see good cause to remand and detain the Defendant in custody, and this rule shall apply to every Defendant in custody, before and at the time of the passing of this Act, who shall not have entered his appearance, and for whom an appearance shall not have been entered, or shall not have answered the Bill, and the Bill shall not have been taken pro confesso, but the twenty-one days and two calendar months respectively, to be reckoned from the first day of the month next following the passing of this Act, and the other periods to be altered accordingly, in computation, but nothing in this Act shall prevent any Plaintiff from proceeding to take his Bill pro confesso, according to the practice existing before the passing of this Act, when at the passing of this Act, his proceeding shall be so far advanced that the powers of this Act would not enable him to accelerate the period for taking his Bill pro confesso.

Rule to apply to Persons being so in custody, prior to and at the time of this Act passing.

12th.—That when a Defendant is in custody for contempt in not answering, and shall be able to put in his answer by borrowing or obtaining a copy of the Bill, without taking an Office copy of the Bill, he shall not be compellable to take any such copy, but the Register may (if he think the Defendant is of sufficient ability to pay for an Office copy) require him before the answer is filed, to make an affidavit denying his ability in consequence of poverty to pay for an Office copy of the Bill.

Rule 12.
Defendant not to be compelled to take Office copy of Bill, under certain circumstances.

13th.—That when any person shall have been directed by any decree or order to execute any Deed or other instrument, or make a surrender or transfer, and shall have refused or neglected to execute the same, or to make such surrender or transfer, and shall have been committed to prison under process for such contempt, or being confined in prison for any other cause, shall have been charged with or detained under process for such contempt, and shall remain in such prison, the Court may upon motion or petition, and upon affidavit, that such person has, after the expiration of two calendar months from the time of his being committed under, or charged with or detained under such process, again refused to execute such deed or instrument, or make such surrender or transfer, or order, or appoint a Master of the Court of Chancery, to execute such deed or instrument, or make such surrender or transfer for or in the name of such person, and to do all acts necessary to give validity and operation to such deed, surrender, or transfer, and the execution of the said deed or other instrument, and the surrender or transfer made by the said Master, shall, in all respects, have the same force and validity, as if the same had been executed or made by the party himself, and within ten days after the execution or making of any such deed or other instrument, or surrender or transfer, notice thereof shall be given by the adverse Solicitor, to the party in whose name the same is executed or made, and such parties as soon as the deed or other instrument, or surrender, or transfer, shall be executed or made, shall be con-

Rule 13.
Master in certain cases where Prisoner refuses to execute any deed, &c., or make surrender, or transfer, authorized to execute the same.

Court to make order with respect to costs

Rule 14.
Books, papers or articles, not delivered or deposited in Court by Person committed for contempt, may be seized by Sequestrators appointed by Commission, &c.

Rule 15.
Cases of commitment for contempt, not specially provided for—respecting.

Rule 16.
Persons entitled to discharge under commitments for contempt, and not applying for the same, may be compulsorily discharged thereon, and left in custody for costs.

Rule 17.
Proceedings to be had against parties retaining possession after decree or order for delivery of possession being served upon them.

Clause V.
Discharge of any prisoner adjudicated upon, under any insolvent debtor's Act, to extend to all process of the Court of Chancery for contempt or non-payment of money or costs, and be deemed to extend to all costs to which prisoner would be liable in consequence of such contempt, &c., and every discharge adjudicated upon, as to any debt or damages of creditor deemed

sidered as having cleared his contempt, except as far as regards the payment of the costs of the contempt, and shall be entitled to be discharged therefrom, under any of the provisions of this Act, applicable to his case, and the Court shall make such order as shall be just, touching the payment of the costs of, or attending any such deed, surrender, instrument or transfer.

14th.—That when a person shall be committed for a contempt in not delivering to any person or persons, or depositing, in Court or elsewhere, as by any order may be directed, books, papers or any other articles or things, any Sequestrator or Sequestrators appointed under any Commission of Sequestration, shall have the same power to seize and take such books, papers, writings, or other articles or things, being in the custody or power of the person against whom the sequestration issues, as they would have over his own property, and thereupon such articles or things so seized and taken, shall be dealt with by the Court as shall be just, and after such seizure, it shall be lawful for the Court, upon the application of the prisoner or of any other person, in the cause or matter, or upon any report to be made in pursuance of this Act, to make such order for the discharge of the prisoner upon such terms, and, if it shall see fit, making any costs in the Cause, as to the Court shall seem proper.

15th.—That in any other case of a commitment for contempt, not herein specially provided for, the Court may, upon any such application as last aforesaid, or upon any such Report as aforesaid, make such order for the discharge of the prisoner upon any such terms, and making, if the Court shall see fit, any costs in the cause as to the Court shall seem proper.

16th.—That where any person committed for a contempt, shall be entitled to his discharge upon applying to the Court, but shall omit to make such application, the Court may, upon any such Report, as aforesaid, compulsorily discharge such person from the contempt, and from custody, and pay the costs of the contempt, out of any funds belonging to him, over which the Court may have power, or make them costs in the Cause as against him, or make such provision for the payment thereof, as the Court shall see fit, or may discharge him from the contempt, but leave him in custody for the costs, which may be cleared if he be insolvent, under the provisions herein-after contained in that behalf.

17th.—That where any party obstinately retains possession of Lands, or other real property, after a Writ of Execution of a decree, or an order for delivery of possession has been duly served, and demand of possession made, and upon an affidavit of such service of the Writ of Execution, and of such demand made thereunder, and a refusal to comply therewith on the part of the person against whom the Writ issued, the party issuing it shall be at liberty, upon an affidavit of service of the Writ of Execution and demand of possession, and refusal, to obtain the usual order of course, for the Writ of Assistance to issue, and that the intermediate Writs of Attachment and Injunction, further commanding the parties to deliver possession, or any other Writ shall be unnecessary.

And be it enacted, That the discharge of any prisoner adjudicated upon under authority of any Act of the Legislature, which may hereafter be passed for the relief of Insolvent Debtors, shall and may extend to all process issuing out of the Court of Chancery of these Islands, for any contempt of such Court, for non-payment of money, or of costs, charges, or expenses in any such Court, and that in such case, the said discharge shall be deemed to extend to all costs which such prisoner shall be liable to pay in consequence or by reason of such contempt, or on purging the same, and that every discharge so adjudicated as aforesaid, as to any debt or damages of any Creditor of such prisoner, shall be deemed to extend also to all costs incurred by such Creditor, before the filing of such prisoner's schedule, in any Action or Suit brought by such Creditor against such prisoner, for the purpose of the recovery of the same, and that all persons as to whose demands for any such costs, money or expenses, any such

person shall be so adjudged to be discharged, shall be deemed and taken to be Creditors of such prisoner in respect thereof, and entitled to the benefits of all the provisions made or to be made for Creditors, subject nevertheless, to such ascertaining of the amount of the said demands, as may be had by taxation or otherwise, and to such examination thereof, as shall in any Act be provided in respect of all claim to a dividend of such Insolvent Estate and Effects.

And be it further enacted, That where the process of contempt is for the non-performance of an act, for example, the not answering a Plaintiff's Bill in Equity, to which the Insolvent is a party, is taken pro confesso, and he has not paid the costs of the contempt, or the Insolvent has fully answered the Plaintiff's Bill or interrogatories, or otherwise cleared his contempt, except as far as regards the payment of the costs, or it has become an event unnecessary for him to do the act, for the non-performance of which he was committed or attached, the Court of Equity, in which the suit is depending, shall, upon the application of the party in contempt, discharge him from the same, except as to the costs thereof, for which he shall remain in custody, and such costs shall be deemed within the provision lastly herein-before contained, and he shall be dischargeable therefrom, and from the process of contempt, in like manner as if the process of contempt were for non-payment of money or costs; Provided, that this order or regulation shall not weaken any of the other powers by this Act given.

And be it further enacted, That when and so soon as any order for taking any Bill of Discovery, pro confesso, shall have been pronounced by the Court of Chancery of these Islands, such Bill, or an examined copy thereof, so taken, pro confesso, shall be taken and read in any Court of Law or Equity as evidence of the facts, and matters, and things, therein contained, in the same manner as if such facts, matters, and things, had been admitted to be true by the answer of the Defendant, put into such Bill, and such Bill, so taken, pro confesso, shall be received and taken in evidence of such and the same facts, and on behalf of such, and so many persons as the answer of the Defendant to the said Bill, could and might have been read and received in evidence of, in case such answer had been put in by the Defendant thereto, and had admitted the same facts, matters and circumstances as in such Bill stated and set forth.

And be it further enacted, That wherever this Act, in describing or referring to any person, or any conveyance, transfer, matter or thing, uses the word importing the singular number or the masculine-gender only, the same shall be understood to include and shall be applied to several persons, as well as one person, and females as well as males, and bodies corporate as well as individuals, and several conveyances, transfers, matters or things, respectively, as well as one conveyance, transfer, matter or thing, respectively, unless there be something in the subject or context repugnant to such construction.

No. LXXIV.

An Act to repeal An Act, intituled, "An Act to oblige ships and other vessels more effectually to perform Quarantine, and for the better preventing the communication of malignant and infectious diseases," and to make more general provisions for the performance of Quarantine, by ships and vessels hereafter arriving, and preventing the communication of the disease called Cholera Spasmodica, and all other malignant and infectious diseases. [24th December, 1831.]—Left to its operation by Order in Council, dated 9th December, 1833.

WHEREAS, an Act of these Islands, passed the Twenty-fourth day of August, One Thousand Seven Hundred and Ninety-three, intituled, "An Act

ad to extend to all costs, &c.

Clause VI.
When process of contempt is for non-performance of an Act, which it becomes unnecessary to do, Court, in which suit is depending, shall, upon application of party in contempt, discharge him, except as to costs, and costs deemed within the provisions lastly before contained, and he shall be dischargeable as if such process had been for non-payment of money or costs, &c.

Clause VII.
When any Bill of discovery shall be taken, pro confesso, such Bill shall be read as evidence of facts therein contained, as if such facts had been admitted by answer, put into such Bill, and taken and received against such, and so many persons as the answer of the Defendant to said Bill, could and might have been read, in in Bill stated, &c.

Clause VIII.
When this Act in describing or referring to any person, &c. &c., uses the word importing the singular number, or masculine-gender only, same shall be understood to apply to several persons, &c., unless there be something in the context repugnant.

Preamble.
Recites Act of Aug. 24, 1793.

to oblige Ships and other Vessels more effectually to perform Quarantine, and for the better preventing the communication of malignant and infectious diseases," has been found insufficient, and it is expedient, therefore, that the said Act should be repealed, and more general and effectual provisions made, for the purpose of preventing the communication of malignant and infectious diseases ;

Clause I.
Recited Act repealed.

Be it, therefore, enacted, by the Governor, Council and Assembly of the Island of Grenada and its Dependencies, and it is hereby enacted by Authority of the same, that from and after the passing of this Act, the said recited Act, and all and every matter, clause and thing therein contained be, and the same is, and are hereby repealed.

Clause II.
Whenever there may be apprehension of the introduction into this Island, of any infectious disease, Governor authorized to order Harbour-Master, or other person, upon vessel coming to anchor, to visit same, and examine master, crews, and passengers, on oath, with regard to state of health, on board, as also the Log-Books, Journals, &c.

And be it enacted, by the Authority aforesaid, That whenever, from the prevalence of any malignant or infectious disease, in any country or place whatsoever, beyond seas, there may be reason to apprehend its introduction into this Island or its Dependencies, it shall and may be lawful for the Governor or Commander-in-Chief, for the time being, to order and direct, that all and every Ship or Ships, Vessels or Vessel hereafter arriving at the Port of Saint George, or in any of the Harbours, Bays, or Places within this Island, or any of its Dependencies, from any Port or Place whatsoever, shall immediately, upon coming to anchor, be visited by the Harbour Master or other person or persons to be hereafter appointed for the purposes of this Act, by the Governor or Commander-in-Chief, for the time being, of these Islands, for the Port or Place to which such Ship or Vessel shall so come, who is, and are not only hereby authorized and required to examine, upon oath, the masters, crews, and passengers, respectively, of such Ships and Vessels, with regard to their state of health, respectively, at that time, and during their then voyage, and to commit the same to writing, and such Harbour Master, or other person and persons, so to be appointed, as before-mentioned is, and are hereby authorized and required to administer an oath for that purpose, to masters, crews, passengers, and others, on board such Ships and Vessels, respectively, and to inspect into the state of the health of every person on board such Ships and Vessels, respectively, as also the Log-Books, and the Journals of the Doctors of such Vessels, if any such be on board, and, if upon such examination, any person or persons shall wilfully answer falsely, he or they being thereof convicted, shall be deemed guilty of wilful and corrupt perjury, and be punished accordingly.

Persons on such examinations, answering wilfully falsely, to be deemed guilty of perjury.

Clause III.
Harbour-Master to report such examination to the Governor, who may direct some medical person, if he think necessary, to visit the vessel.

And be it further enacted, That such Harbour Master, or other person or persons so to be appointed as aforesaid, for any such Port or Place aforesaid, respectively, shall immediately after taking such examination or examinations, lay the same before the Governor or Commander-in-Chief, for the time being, of the said Island and its Dependencies, who shall and may, if he shall deem it necessary, send on board such Ship or Vessel, some medical gentleman, of sufficient skill and knowledge, to examine into the state of the health of the persons on board such Ship or Vessel, and such medical gentleman shall, upon such examination, make a report, in writing, of the result thereof, on oath, to such Governor or Commander-in-Chief, who is hereby authorized and required to administer such oath, and if upon the report of the Harbour Master, or other person or persons to be appointed as aforesaid, or of the said medical gentleman, it shall appear that there has been on board any such Ship or Vessel, during the then voyage, any case of Cholera Spasmodica, or any other malignant or infectious disease, the said Governor or Commander-in-Chief, for the time being, is hereby authorized and required to order and direct the master and crew of such vessel, to remove such vessel to such place, as he shall appoint, and as shall be specified in such order, there to lie and perform quarantine for such time, and in such manner, as shall be by such order, or by any future order, specified, and as the circumstances of the case shall, in the discretion of such Governor or Commander-in-Chief require ; and in case of delay

In the event of Cholera or other infectious disease having been on board during voyage, vessel to perform quarantine.

or refusal, to remove such Ship or Vessel, such Governor or Commander-in-Chief is hereby authorized and required to compel the same by force, in such manner and way as he shall judge best, and likely to be immediately effectual: and until such Ships or Vessels, and the respective masters, crews, and others on board such Vessels respectively, shall have performed, and be discharged from such quarantine, no persons, goods, or merchandize from such Ship or Vessel shall come or be brought on shore, or go to, or be put on board any other Ship or Vessel, unless in such manner, in such cases, and by such Licence, as shall in that respect be given, by the said Governor or Commander-in-Chief, by and with the advice and consent of the Council of the said Island and its Dependencies; and all Ships and Vessels, and the persons coming or goods imported in, or going to, or being put on board the same, or any of them, shall be subject to all such orders, rules, regulations and directions concerning quarantine, and the prevention of infections as shall be made by the said Governor or Commander-in-Chief, with or without the advice or consent of the Council, and notified either by proclamation or publication in the public newspaper of the said Island.

And be it further enacted, That in case any master, seaman, or passenger coming in such Ship or Vessel, shall quit the same by going on shore, or by going on board any other Ship or Vessel before such quarantine shall be fully performed, unless in such cases, and by such licence, as shall be directed or permitted by such order or orders as shall be made concerning quarantine, and the prevention of infection as aforesaid, it shall and may be lawful for all persons whatsoever, by any kind of force or violence, to compel such person or persons to return on board such Ship or Vessel, and if any person shall clandestinely convey any goods, wares, or merchandize, from on board any Ship or Vessel under quarantine, or liable to perform quarantine as aforesaid, every person so offending shall forfeit and pay the sum of Five Hundred Pounds sterling, to be sued for by, and recovered in, the name of the Treasurer of these Islands, by action of debt, in the Supreme Court of Judicature of these Islands, and which sum, when recovered, shall be applied by the Treasurer of the said Island of Grenada, for the use of the public.

And be it further enacted, That the Governor and Commander-in-Chief, for the time being, upon being satisfied of the health of the master, crew and passengers of such Ships or Vessels respectively, arriving as aforesaid, may grant a certificate thereof, under his hand, to the respective masters thereof, and that until such certificate shall have been so given and produced by such Master, to the Collector or Comptroller of His Majesty's Customs for the Port, where such Ship or Vessel shall so arrive, such Ship or Vessel shall not be admitted to an entry at the Custom-House.

And be it further enacted, That in case any malignant or infectious disease shall be discovered to be on board any Ship or Vessel, in any port, harbour, bay, or place in the said Island and its Dependencies, the Harbour Master, or such other person or persons, duly authorized, are required, immediately to make up a report thereof, in writing, to the Governor or Commander-in-Chief of these Islands, for the time being, who, if the same shall appear doubtful, shall send some medical person on board such Ship or Vessel, who is hereby authorized and required to examine into the state of the health of the master, crew, and other persons belonging to, or on board such Ship or Vessel, and to make a report of the same upon oath, to the Governor or Commander-in-Chief of these Islands for the time being, in way and manner hereinbefore prescribed, and such Governor or Commander-in-Chief, upon being satisfied of the accuracy of such report, either of such Harbour-Master, or such other person or persons duly appointed thereto as aforesaid, or of such medical gentleman as aforesaid, may order and direct the master and crew of such Ship or Vessel to remove the same to such place at a convenient distance from such port, as shall be specified

Regulations there-
in.

Clause IV.
Persons coming on
shore from such
vessels to be com-
pelled to return on
board.

Penalty for remov-
ing goods from on
board.

Clause V.
Governor authoris-
ed to grant certifi-
cates of health.

Clause VI.
Regulations in
doubtful cases of
infectious disease
being on board ves-
sels.

in such order, there to make quarantine in way and manner hereinbefore directed for Ships or Vessels arriving, and, on examination, appearing to have then, or to have had, on board some malignant or infectious disorder during the then voyage of such Ship or Vessel, and all such Ships or Vessels so to be ordered out of Port, and the masters and crews thereof, and goods therein respectively, shall be subject to all and every the Rules and Regulations hereinbefore prescribed for Ships or Vessels, and the masters and crews thereof, and the goods on board the same, under quarantine, or liable thereto as aforesaid.

Clause VII.
Harbour-Masters, medical men, &c., neglecting or refusing to perform duties hereby directed, or wilfully misstating or misrepresenting examinations, &c., to Governor, to be discharged and removed from office. And liable to an action of damages, at suit of party aggrieved.

And be it further enacted, That if any Harbour-Master, or other person duly authorised, or medical man, or either of them in the said Island and its Dependencies, shall neglect or refuse to perform all or any of the duties hereby directed to be by him or them executed, or shall wilfully misstate or misrepresent to the Commander-in-Chief, the examination of the master and crew of any such Ship or Vessel, or the circumstances and situation of the health thereof, such Harbour-Master or such person duly authorised shall, by the Commander-in-Chief, be discharged, and removed from such his or their office of Harbour-Master, and such Harbour-Master, or other person duly authorised, or medical gentleman, shall, for every such offence, be also liable to an action for damages at the suit of the party aggrieved.

Clause VIII.
Every medical man visiting any ship or vessel by authority of Commander-in-Chief, to receive for each visit £2 5s. currency.

And be it further enacted, That every medical gentleman so visiting such Ship or Vessel, by authority of the Commander-in-Chief, aforesaid, shall be entitled to receive for each of such visits, the sum of Two Pounds Five Shillings currency, and that a certificate by the Commander-in-Chief, of his having performed such duty, shall be a sufficient voucher to have the same allowed as a just charge by the Committee of Public Accounts of these Islands, and paid with the other debts due by the public.

Clause IX.
Persons sued for any thing done under this Act, may plead general issue, and give this act in evidence.

And be it further enacted, That if any action or suit should be commenced against any person or persons, for any thing to be done in pursuance of this Act, the defendant or defendants in such action or suit may plead the general issue, and give this Act, and the special matter in evidence, at any trial to be had thereupon, and that the same was done in pursuance, and by authority of said Act, and if it shall appear so to have been done, then the Jury shall find for the defendant or defendants, and if the plaintiff shall be non-suited, or discontinue his action, or if judgment shall be given upon any verdict or demurrer against the plaintiff, the defendant or defendants shall recover treble costs, and have the like remedy for the same as a defendant hath in other cases by Law.

No. LXXV.

An Act for the relief of certain classes of His Majesty's Subjects within this Government, in respect to certain disabilities under which they labour ; to repeal the several Laws relating to the Election of Representatives to serve in the House of Assembly, and to substitute the present Act in their stead. [January 30, 1832.]

Preamble.

WHEREAS, certain classes of His Majesty's Subjects in these Islands do still lie under some disabilities, and it is expedient that such disabilities should cease and be removed altogether ; We therefore Your Majesty's most dutiful and loyal Subjects, the Representatives of the People of the said Islands, in General Assembly convened, do most humbly pray Your Majesty, that it may be enacted :

Clause I.
From publication hereof, all disabilities

And be it and it is hereby enacted by His Excellency the Governor, the Council and Assembly of the Island of Grenada and its Dependencies, That from and after the publication of this Act, all disabilities whatever, under

which the free Coloured and free Black Inhabitants of these Islands are now, or at any time heretofore have been subject to, shall cease and determine, and that all and every His Majesty's said Subjects, shall have, hold and enjoy all the rights, privileges, immunities, and exemptions, and be liable to perform all the same duties, and be subject to the same forfeitures and penalties, as fully, and in the same manner, as are enjoyed, held, exercised and performed by the white Inhabitants, resident therein, and all Acts, and parts and clauses of Acts, or any usage or custom whatsoever, imposing or continuing any such said disabilities, and being contrary to the true intent and meaning hereof, are declared in regard thereof, and are hereby repealed and abolished, and rendered of non-effect accordingly.

ties of free Colored and free Black People to cease.

All Acts, clauses of Acts, usage, or custom, whatsoever, imposing disabilities, repealed, abolished, rendered of non-effect.

Preamble.

And whereas it has become necessary to revise, amend and consolidate the several Laws of these Islands, relating to the election of Representatives in the House of Assembly: Be it therefore enacted by the authority aforesaid, That an Act, intituled "An Act to compel the Members of the Assembly of the Islands of Grenada and the Grenadines to attend their duty in the Assembly," and bearing date the twenty-first day of January, one thousand seven hundred and seventy-four:" an Act, intituled "An Act for regulating Elections," and bearing date the twenty-third day of April, one thousand seven hundred and ninety-two; an Act, intituled "An Act to limit the duration of the present General Assembly, and of all future Assemblies that shall at any time hereafter be called, elected, assembled, or held for the Island of Grenada, and such of the Grenadines as are thereon dependent, and bearing date the fourth day of October, one thousand seven hundred and ninety-three;" an Act, intituled "An Act to repeal so much of an Act, intituled, "An Act for regulating Elections, as requires the Members of Assembly to take an oath that they are duly qualified according to the true intent and meaning of the said Act," and bearing date the first day of October, one thousand eight hundred and twelve; an Act intituled, "An Act for regulating the proceedings of the Returning Officer at Elections," and bearing date the fourteenth day of December, one thousand eight hundred and twenty, and the eighth clause of an Act, intituled, "An Act for relieving the free Colored and free Black Persons in these Islands, from certain penalties to which they are liable by certain Acts of the Legislature, to enable the Provost Marshal to prove the service of summonses and subpoenas, by any free Colored or free Black Persons, to authorize such free Colored or free Black Persons to give evidence in all cases whatsoever, and for extending the elective franchise to them in certain cases, and for other purposes," bearing date the nineteenth day of December, one thousand eight hundred and twenty-three, shall be, and the same respectively are hereby repealed and made void.

Clause II.
Act of 21st January, 1774.

Act of 23rd April, 1792.

Act of 4th October, 1793.

Act of 1st October, 1812.

Act of 14th December, 1820.

And the 8th Clause of Act, 19th December, 1823.
Repealed.

And be it further enacted, that the Property which shall qualify a Candidate to be a Representative of any Parish or United Parishes of the Island of Grenada, or of the Island and Parish of Carriacou and the Grenadines, lying betwixt it and Grenada, shall be a Plantation or Estate in his actual possession, and for his own use and benefit, in his own right, or in right of his wife, either for life or for any greater estate therein, or for a term of not less than ninety-nine years in severalty, or as joint tenant, or tenant in common, and which, or his part or share whereof, shall consist of not less than fifty acres of Land, twenty acres of which shall be under actual cultivation, and all lying in the said Island of Grenada, the Island of Carriacou, or in any other of the Grenadines, or small Islands attached to this Government, or any person that shall be in receipt of an Annuity or Rent charge in his own right, or in right of his wife, equal to one hundred pounds, sterling money of Great Britain, by the year, charged upon and issuing out of lands and hereditaments, within this Government; and that the Property which shall qualify a Candidate, for the Capital Town of Saint George, shall be a messuage or messuages, in the said Town, in his actual possession, and for his own benefit, either for life or for any greater estate therein,

Clause III.
Qualification of a Candidate for Parishes and Grenadines.

Qualification of a Candidate for the capital Town of St. George.

Every Candidate to be a natural born or naturalized or denizenised subject, 21 years of age, and have paid £10 taxes during the preceding year.

or for a term of not less than ninety-nine years in severalty, or as joint tenant, or as tenant in common, and which, or his part or share whereof, shall be of the annual value of at least one hundred and fifty Pounds, current money, and every such Candidate to be a Representative of any of the Parishes of Grenada, or of the Island of Carriacou, and the other Grenadines, shall moreover be a natural-born subject, or legally naturalized or denizenised, and shall have attained the age of twenty-one years, and shall have paid in public or local Taxes, a sum amounting to not less than ten pounds current money, for and during the year preceding the day of Election, the payment of such Taxes to be proved if required, at the Poll, or before the Assembly, by the production of the Treasurer's receipt for the same.

Clause IV.
Qualification of voters for the Parishes and Grenadines.

And be it further enacted, That the property which shall qualify any free British Subject to vote for a Candidate or Candidates, to represent the Parish or United Parishes in which such voters' property lies, in the Island of Grenada, or the Island of Carriacou and the Grenadines, shall be a Plantation or Estate in such Parish or United Parishes, in his actual possession, either for life, or any greater estate therein, by the courtesy, or in right of his wife, or for a term of not less than ninety-nine years in severalty, or as joint tenant, or tenant in common, and which, or his part or share whereof shall consist of not less than twenty acres of Land, ten of which shall be under actual cultivation, or a messuage or messuages in any or either of the Towns belonging to the said Parish, or United Parishes, or Carriacou, except the Capital Town of Saint George, or in any other place within the said Parishes, and in his actual possession, either for life or any greater estate therein, or for a term of not less than ninety-nine years, in severalty, or as joint tenant, or tenant in common, and which, or his part or share whereof, shall be of the annual value of not less than thirty-three pounds, current money, or an annuity equal to twenty Pounds, sterling, or some greater estate issuing out of, and charged on lands and tenements, lying and being in any of the said United Parishes in Grenada, or in the Island and Parish of Carriacou and the Grenadines.

Clause V.
Qualification of voters for the Capital Town of St. George.

And be it further enacted, That the qualification which shall entitle any free British Subject to vote for a Candidate or Candidates, to represent the Capital Town of Saint George, shall be a messuage or messuages in the said Town, and in his actual possession, either for life, or for any greater estate therein, or for a term of not less than ninety-nine years in severalty, or as joint tenant, or tenant in common, and which, or his part or share whereof, shall be of the annual value of not less than thirty-three Pounds current money.

Clause VI.
No vote as owner of any messuage, to be received, unless annual value given in to Commissioners in the month of January preceding. To be proved by certificate if required by any Candidate.

Provided always, and it is hereby enacted, That no vote of any person claiming to vote as owner or possessor of any messuage or messuages as above described, in any of the Towns or elsewhere, in any of the Parishes of the said Islands, shall be received by the Returning Officer, unless the annual value of the same shall have been given in, in the name of the person so claiming, in the month of January preceding, to the Commissioners for taking the Population Returns, at that period, so as to be taxed or rated for taxation, by a general tax act, to be proved by a certificate of the same if required by any Candidate.

Clause VII.
No person allowed to be a good freeholder, capable of electing or being elected a member of Assembly, unless deed under which he claims, be proved and recorded six months before day of election, to be proved at the Poll or before Assembly upon a controversy.

And be it further enacted, That no person offering himself, or proposed as a Candidate, or offering to vote at an election of a member or members of Assembly, shall be allowed to be a good Freeholder, capable of being elected, or of electing a member or members of Assembly, unless the Deed or Deeds under virtue of which he claimeth qualification to be elected or to elect, shall be duly proved and recorded at least six calendar months next and immediately before the day of election, the same to be proved, if required, at the Poll, by any Candidate or Elector, or before the Assembly, upon the controverting of any Election, by producing the said Deed or Deeds, or an attested copy thereof, with a certificate under the

band of the acting Register of the said Island of Grenada, for the time being, excepting only in the case where such Deeds shall have been executed in Great Britain or Ireland, or in any of His Majesty's Plantations or Colonies, in America, or elsewhere, in every such case, the same shall be allowed and received, if recorded any time previous to the day of Election.

And be it further enacted, That from and after the passing of this Act, any member of Assembly, actually resident within the said Island of Grenada, or its Dependencies, who shall absent himself from the said Assembly, during three successive sessions of the same, and who shall not within ten days after the last day of the said third session, deliver or cause to be delivered to the Speaker of the said Assembly, a satisfactory excuse, stating that he was unable to attend in the said Assembly during the said three successive Sessions, or if any person hereafter to be chosen a member of the Assembly, whether present or absent from these Islands at the time of his Election, and shall not take his seat for the space of six calendar months next after his election, in either of which cases he shall forfeit his seat in the said Assembly, and a new writ shall issue for electing another person in his place.

And be it further enacted, That no person hereafter to be elected a member of Assembly, shall vote or sit in such Assembly, until he shall have first taken before the Governor or Commander-in-Chief of Grenada, the several Oaths of Allegiance, and of Supremacy and Abjuration, and shall have made and subscribed the declaration against Transubstantiation, commonly called the Test: *Provided always*, That His Majesty's Roman Catholic Subjects shall not be required to take the Oaths of Supremacy and Abjuration, or to sign the declaration against Transubstantiation, called the Test, but that they shall take and subscribe the following Oath:—

"I, A. B., do sincerely promise and swear, that I will be faithful, and bear true allegiance to His Majesty King William the Fourth (or other name of our Sovereign Lord the King for the time being), and will defend him to the utmost of my power, against all conspiracies, and attempts whatsoever, which shall be made against his person, crown or dignity, and I will to my utmost endeavour to make known and disclose to His Majesty, his heirs and successors, all treasons and traitorous conspiracies which may be formed against him or them, and I do faithfully promise to maintain, support, and defend to the utmost of my power, the succession of the Crown, which succession by an act entitled, 'An Act for the further limitation of the Crown, and better securing the rights and liberties of the subject,' is, and stands limited to the Princess Sophia, Electress of Hanover, and the heirs of her body being Protestants, hereby utterly renouncing and abjuring any obedience or allegiance to any other person, claiming or pretending a right to the Crown of the United Kingdom of Great Britain and Ireland; and I do further declare that it is not an article of my faith, and that I do renounce, reject and abjure the opinion, that Princes, excommunicated or deprived by the Pope, or any other authority of the See of Rome, may be deposed or murdered by their subjects, or by any other person whatsoever; and I declare, that I do not believe that the Pope, or any other foreign Prince, Prelate, Person, State or Potentate, hath, or ought to have any temporal or civil jurisdiction, power, superiority or pre-eminence, directly or indirectly, within the United Kingdom of Great Britain and Ireland, and the Dependencies thereof; I do swear, that I will defend to the utmost of my power, the settlement of Property within the said realm, established by the Laws; and I do disclaim, disavow, and solemnly abjure any intention to subvert the present Church establishment, as settled by law within the United Kingdom and the Dependencies thereof; and I do also solemnly swear, that I will never exercise any privilege to which I am, or may become entitled, to disturb or weaken the Protestant Religion or Protestant Government, in the United Kingdom; and I do solemnly, in

Clause VIII.

Any member resident, absenting himself from Assembly three successive sessions, without a satisfactory excuse; or any member absent or present at the time of his election, and who shall not take his seat within six months, to forfeit his seat and a new writ to issue.

Clause IX.

No person elected a member of Assembly, to sit and vote until he has taken the state oaths, &c. *Provided*.

That Roman Catholics shall not be required to take oaths of supremacy, or abjuration, or sign the test, but to take the oath following, viz: Form of Oath.

the presence of God, profess, testify, and declare, that I do make this declaration, and every part thereof, in the plain and ordinary sense of the words of this oath, without any evasion, equivocation, or mental reservation whatever."—"So HELP ME GOD."

Clause X.
Duration of present and future Assemblies, seven years from date of writ, unless sooner dissolved.

And be it further enacted, That this present Assembly and all General Assemblies, that shall at any time hereafter be called, elected and assembled, or held in and for the said Island of Grenada, and its Dependencies, shall and may respectively have continuance for seven years, and no longer, to be accounted from the day on which, by the Summons or Writ of Election, this present General Assembly has been, or any future General Assembly shall be appointed to meet, unless sooner dissolved by His Majesty, his heirs, his successors, or representative for the time being; and that each Session of the said Assembly, shall be considered to be the time during which the said Assembly shall sit, every day, without interruption, except on Sunday, from the day of its meeting, until prorogued or adjourned by the Commander-in-Chief.

Duration of a Session.

Clause XI.
When insufficient number of members attend, House to be considered as adjourned, from day to day, until a sufficient number attend.

And be it further enacted, That when the Assembly shall at any time be appointed to meet, if a sufficient number of Members shall not attend to make a House, the House shall be understood to be adjourned, until the ensuing day, not being Sunday, and to continue until a sufficient number do meet to make a House, or until the same be dissolved, prorogued, or adjourned by the Commander-in-Chief, for the time being, of the said Island of Grenada,

Clause XII.
Eleven members to make a house for all purposes.

And be it further enacted, That eleven Members of Assembly, of whom the Speaker is to be one, and meeting together as such, shall be deemed and allowed a sufficient number, properly qualified and empowered to act as the House of Assembly of these Islands, to all intents and purposes whatsoever, except to receive a new Member, in which case seven Members, of whom the Speaker is to be one, shall be a sufficient number to constitute a House for that purpose only.

Seven members sufficient to receive a new member.

Clause XIII.
When new Assembly called, not more than forty days between teste and return of writ of summons. Chancellor to issue writs of Election, with all convenient speed.

And be it further enacted, That when any new Assembly shall at any time hereafter be summoned or called, there shall be not more than forty days between the Teste and return of the Writ of Summons, and the Chancellor for the time being, shall issue out the Writs for election of Members to serve in the same Assembly, with as much expedition as the same may conveniently be done, and that as well upon the calling or summoning any new Assembly, as also in case of any vacancy during the present or any future Assembly, the several Writs shall be delivered to the Provost Marshal General, or his Deputy, who shall cause public notice to be given, of the time and place of Election, such notice to be given in the Public Newspapers of the said Island of Grenada, or if no Newspaper be published, by affixing such notice upon some conspicuous place or places in the Town or Parishes for which it might be intended such Elections respectively shall take place; and the said Provost Marshal General, or his Deputy, shall and is hereby required to proceed to the Election, that is to say: For the Town of Saint George, within eight days after the receipt of the Writ, giving four days notice of the same, in manner herein-before mentioned; and for the different Parishes, within twenty days after the receipt of the Writ, giving four days like notice, and allowing two days to intervene between each Election, and shall proceed to the Election for the Island of Carriacou, within twenty-five days after the receipt of the Writ, giving four days like notice thereof, and that the said Elections shall commence at the hour of nine o'clock in the morning, and close at the hour of three in the afternoon of the same days, and the said Provost Marshal General, or his Deputy, upon closing the Poll, shall publicly declare, and shall return upon the several Writs, to which the Poll taken shall be annexed, the name of the Candidate or Candidates to whom the majority of legal votes, to the best of his knowledge, shall be given to be duly elected.

Writs to be delivered to Provost-Marshal-General, who is to give Public Notice in Newspapers, and if no Newspaper, to fix up same at place of Election.

Times specified for holding Elections.

Elections to commence at 9, A.M., and close at 3, P.M. Marshal to make return of Candidates Elected.

Clause XIV.

And be it further enacted, That the Provost Marshal General, or his

Deputy, before proceeding to an Election of a Member or Members of the Assembly, shall, immediately after reading the Writ for the Election, take and subscribe the following oath :—

“ I, A. B., do swear, that I have not directly or indirectly received any sum or sums of money, office, place, or employment, gratuity or reward, or any bond, bill, note, or security, or any promise of any gratuity whatsoever, either to myself, or by any person or persons to my use, benefit or advantage, for making any return at the present Election, and that I will return such person or persons as shall, to the best of my judgment, appear to have the majority of legal votes ; ”

Which oath any Justice of the Peace, or, in his absence, any person duly qualified to vote, at such Election, is hereby authorized and required to administer ; and a certificate of such oath having been administered shall be given by the said Justice of the Peace, or Elector, who administered the same, signed with his own proper hand, to the said Provost Marshal General, or his Deputy, and which shall be annexed by him to the Writ of Election.

And be it further enacted, That no person shall be allowed to vote in the Election of Members to serve in the Assembly, by reason of any mortgage or trust, unless such Mortgagee or Trustee be in actual possession and receipt of the rent or produce of the same Estate or Premises ; but that the Mortgagee or *Cestui qui* trust in possession, shall and may vote for the same Estate or Premises, notwithstanding such mortgage or trust.

in possession, may vote notwithstanding

And be it further enacted, That every Freeholder, or other person offering to vote at an Election, shall, before giving his vote, if required by any Candidate, or by any Elector at such Election, take the following oath :—

“ I, A. B., do swear, that I have not received or had, by myself, or any person in trust for me, or for my use and benefit, directly or indirectly, any sum or sums of money, office, place, charge, employment, gift or reward, or any promise or security for any money, office, place, charge, employment, or gift, in order to give my vote at this Election, and that I have not been before polled at this Election, and that I am *bona fide* qualified to vote at this Election ; ”

Which oath or affirmation the Provost Marshal, or his Deputy, is hereby required to administer gratis, and no person shall be admitted to poll at an Election, until he has taken and repeated the said oath, in a public manner, in case the same shall be demanded as last aforesaid ; and if the Provost Marshal General, or his Deputy, shall receive the vote of any Freeholder or Person, without administering the last mentioned oath, if required so to do, as aforesaid, or without administering any of the oaths herein-before required to be taken by Freeholders or voters, if the same, respectively, be demanded, as aforesaid, such Provost Marshal General, or his Deputy, shall forfeit a sum of One Hundred Pounds Currency, to be sued for and recovered, with full costs of suit, by the party aggrieved, by action of Debt in the Supreme Court of Judicature ; Provided, that such action be commenced within six months, next after the forfeiture shall be incurred.

And be it further enacted, That the Provost Marshal General, or his Deputy, at the Election, shall, in taking the Poll, and for the sake of order and perspicuity, rule each sheet of paper in columns, the first column to be for the names of the Freeholders who vote, to be set one under another, in the order they severally vote, down the side of the said first column, and shall rule as many other columns as there are Candidates, the names of which Candidates are to be written at the tops of the columns, and as each Freeholder shall give his vote, the Provost Marshal General, or his Deputy, shall mark thus (1), under the name of the Candidate or Candidates for whom he votes, and if any person shall require a copy of the Poll, the Provost Marshal General, or his Deputy, shall at any time before the re-

Before proceeding to an Election, Marshal, after reading writ, to take and subscribe oath, viz.: Form of Oath.

Oath administered by any Justice, or person qualified to vote.

Certificate thereof to be annexed to writ of Election.

Clause XV.

No Person be allowed to vote by reason of any Mortgage or trust, unless in possession and in receipt of rents and profits, but mortgagee, &c., mortgage.

Clause XVI.

Person claiming to vote, shall, if required, before giving his vote, take the following oath.

Form of Oath.

If Provost Marshal receive vote without oaths, if required, to forfeit £100, to be sued for and recovered with full costs, by party aggrieved, in Supreme Court of Judicature.

Action to be commenced within six months after forfeiture incurred.

Clause XVII.

How Provost Marshal, shall take down votes and affix names of Candidates at the Poll.

Provost Marshal to give any person requiring it, copy of Poll, on payment of 30s.

turn of the Writ deliver him such copy, on his paying thirty shillings for the same.

Clause XVIII.

No person allowed to be put on Poll or vote, unless he shall, eight days before Election, have entered in Marshal's Office, a statement of his qualification, according to Schedule A.

Marshal to enter such qualifications with convenient speed in book for that purpose.

For each entry or copy thereof, Marshal allowed a fee of 5s., and for every copy of a general list of Freeholders, 30s.

Provost Marshal required to take with him to Election, original book of Record, or certified copy thereof.

Clause XIX.

Nothing in this Act to prevent parents from qualifying their children.

Clause XX.

Penalty to be incurred by persons guilty of bribery and corruption in the election of members.

Clause XXI.

Rectors of the established Church, allowed to vote in right of their Benefices.

And for the more easy knowing who are Freeholders, duly qualified to be elected, or to elect Members of Assembly, Be it further enacted, That no person shall be allowed to be elected, or to be put upon the poll, or to vote for a Member or Members of Assembly, unless he shall have entered in the Provost Marshal's Office, at any time not less than eight days next before the day of Election, a statement of his qualification, according to the form prescribed in the Schedule A., hereunto annexed, and that when any Freeholder shall appear to make such entry of his qualification, the Provost Marshal shall proceed to enter or register the same with all convenient speed, in a Book to be kept for the purpose, a division of which shall be allotted for the Town of Saint George, and one for each of the United Parishes in Grenada, and for Carriacou and the Grenadines, and for each entry, and every copy thereof, respectively, the Provost Marshal shall be entitled to demand and receive a fee of Five Shillings currency, and no more, and for every copy of a general list of entries of the Freeholders, the Provost Marshal shall be entitled to demand and receive a fee of Thirty Shillings currency, and no more; and when the Provost Marshal shall proceed to hold any Election, he is required to take with him, either the original Book of Record for the Town of Saint George, or for the Parish or Parishes for which the Election shall be held, or a certified copy thereof, which shall be laid upon the table, at the time of the Election, for the information of all concerned.

And be it further enacted, That this Act or any thing therein contained, shall not be construed to extend to bar, or prevent parents from making and qualifying their children to be Freeholders, capable of either electing or being elected Members of the House of Assembly, within the true intent and meaning of this Act; Provided always, such parents shall and do execute good and sufficient conveyances to such their children.

And for the more effectual preventing of Bribery and Corruption in the Election of Members, Be it further enacted, That if any person who hath, or shall claim to have a right or qualification to vote in any Election, shall ask, receive, or take any money, or other reward, by way of gift, loan, or other device; or agree or contract for any money, gift, office, employment, or other reward whatsoever, to give his vote, or to refuse or forbear giving his vote, in any such Election, or if any person, by himself, or any person employed by him, do or shall by any gift or reward, or by any promise, agreement, or security for any gift or reward, or by menaces or threats, corrupt, procure, or compel, or try or endeavour to corrupt, procure, or compel any person or persons to give or to refuse or forbear to give his or their vote or votes in any such Election, or do or shall by virtue or under colour of any office, appointment, commission, power, or authority whatsoever, summon the inhabitants of these Islands, or any of them to arms, or them being under arms, shall detain or prevent from voting in such Election, with the corrupt view and intent of procuring a majority of votes for himself or for any other Candidate by any such means, as aforesaid, or shall corruptly or fraudulently qualify or make any fictitious or sham Freeholder, by gift, grant, sale or any other mode of conveyance, transfer or assurance whatsoever, contrary to the true intent and meaning of this Act, such person so offending in any of the cases aforesaid, shall, for each offence, forfeit the sum of One Hundred Pounds currency, to be sued for and recovered by any person whomsoever, with full costs of suit, by action of debt in the Supreme Court of Judicature, such action to be brought within six months next after such forfeiture shall have occurred.

And be it further enacted, That the Rectors of the established Church of England and Ireland, resident within these Islands of Grenada and Carriacou, shall be allowed to vote in right of their respective benefices, at all Elections of a Member or Members to serve in the Assembly, without pro-

ducing any qualification or appointment, and as follows, that is to say: the Rector of the Town and Parish of Saint George, shall be allowed to vote for a Representative or Representatives of the said Town of Saint George; the Rector of the United Parishes of Saint David and Saint Andrew, shall be allowed to vote for a Representative or Representatives of such United Parishes; the Rector of the Parish of Saint Patrick, shall be allowed to vote for a Representative or Representatives of the United Parishes of Saint Patrick and Saint Mark; the Rector of the United Parishes of Saint John and Saint Mark, shall be allowed to vote for a Representative or Representatives of the United Parishes of Saint George and Saint John, and the Rector of the Parish of Carriacou shall be allowed to vote for a Representative or Representatives of the Island of Carriacou, any thing herein contained, or any law, usage, custom, statute, letters patent, proclamation, practice or construction to the contrary hereof, in any wise notwithstanding.

And be it further enacted, that whenever a Petition complaining of an undue election, or return of a Member or Members to serve in the Assembly, shall be presented to the House of Assembly, the same shall be heard, tried and determined, before the said House, and a day or hour shall be by the said House appointed to take the same into consideration, and notice thereof, in writing, shall be forthwith given by the Speaker to the Petitioner, and to the sitting Member, or their respective Agents, accompanied with an order to them to attend the House at the time appointed by themselves or Agents: *Provided always*, that the House may at or after the day and hour so appointed for taking such Petition into consideration, appoint some subsequent day and hour for the same, as occasion may require, giving to the respective parties the like notice of such alteration, and order to attend on the said subsequent day and hour as aforesaid, and the Speaker shall have power to send for persons, papers and records, and the said House shall examine the witnesses who come before it, upon oath, to be administered by the Chairman, and all Petitions complaining of such undue elections or returns, shall be presented to the House of Assembly, or lodged with the Clerk of the Assembly, within ten days after the meeting thereof, immediately ensuing the respective elections; And the Petitioners, by themselves, or their Agents, as aforesaid, shall attend and prosecute the same within such time or times as the Assembly shall appoint, and such person or persons who shall not lodge, present or prosecute his or their Petition or Petitions, within the time or times above mentioned or directed, shall be deemed to have no just cause of complaint, and his or their petition or Petitions shall be dismissed, and upon the dismissal or determination of such Petition or Petitions, it shall and may be lawful for the said House of Assembly to award, order, and adjudge such costs and charges to be paid to the party aggrieved, or that by a majority of the house, shall be determined and declared to be duly returned and elected, as the said House in its discretion shall think fit, proper and reasonable, to be recovered by the party so aggrieved, or determined and declared to be duly returned or elected as aforesaid, in an action of Debt in the Supreme Court of Judicature, with full costs of suit.

And be it further enacted, That if any person or persons whomsoever, taking the oaths in and by this Act mentioned, or required, or any or either of them, or giving evidence before the Assembly, or answering any question, matter, or thing whatsoever, upon oath, concerning which he or they shall be examined, in any wise relating to any election, or the qualification of any Candidate, Member, or Elector, in consequence of any oath which he or they shall have taken or made by the direction of this Act, shall commit wilful and corrupt perjury, and be thereof convicted; or if any person or persons do unlawfully or corruptly procure or suborn any other person or persons to take any of the said oaths, or to give evidence before the Assembly, or to answer any question, matter, or thing whatsoever, concerning which he or they shall be examined in any wise relating to any

Clause XXII.

On complaint of undue Election, same to be determined by House, and time be appointed to take same into consideration, and notice to be given to Petitioner and sitting member with an order for attendance. Subsequent proceedings thereon.

Clause XXIII.

Persons committing Perjury by taking the oath in and by this Act required, or giving evidence before the assembly, &c., &c., liable to the pains and penalties enacted by 5th Elizabeth, against such as commit wilful and corrupt perjury.

election or the qualification of any Candidate, Member, or Elector in consequence of any oath which he or they shall have taken or made, or ought to take or make, by the direction of this Act, whereby he or they shall commit wilful and corrupt perjury, and be thereof convicted, such offender or offenders, for every his offence, shall incur the like pains and penalties, as were in and by an Act of Parliament made in the fifth year of the reign of the late Queen Elizabeth, intituled, "An Act for punishment of such persons as shall procure or commit wilful Perjury," enacted against all who should commit wilful and corrupt Perjury.

SCHEDULE A, REFERRED TO IN CLAUSE 20.							
<i>Names.</i>	<i>Date of entry in Provoat Mar- shal's Office.</i>	<i>Nature of Qualification.</i>	<i>Nature of Deeds.</i>	<i>Limitation of Estate.</i>	<i>Date of Deeds.</i>	<i>When Deeds Recorded.</i>	<i>Parties to Deeds.</i>
John Stiles.	4th May, 1831.	Estate called Mount Parish of	Lease & Release.	Fee Simple.	2, 3rd March, 1827.	10th March, 1827.	Thomas Nokes, 1st part. Edward Rivers, 2nd part. John Stiles, 3rd part.
Richard Roe.	6th June, 1831.	House in Charlotte-town.	Lease.	99 years.	10th May, 1830.	11th May, 1830.	John Doe to Richard Roe.
Edward Fenn.	7th July, 1831.	Estate called in the Parish of Saint	Lease.	3 Lives.	8th July, 1830.	2nd Sep., 1830.	Peter Pike to Edward Fenn.
Samuel Tate and Edward Montague.	1st Aug., 1831.	Estate called in the Parish of	Deeds of Trust.	Fee Simple.	19, 20th July, 1819.	21st July, 1819.	Thomas Storks, 1st part. Richard Olivier and John Jones, 2nd part. William Wilson, 3rd part. Samuel Tate and Edward Montague, 4th part.

informing or seizing the said produce, goods, or merchandize, and the other half to the Public Treasurer of these Islands, for the public uses of the Colony, and the offender, on conviction, shall forfeit and pay, over and above the value of the produce, goods, and merchandize, such sum of money, not exceeding Fifty Pounds current money, as to the Justice or Justices shall seem meet.

And be it enacted, by the Authority aforesaid, That if any person shall plunder or steal any part of any ship or vessel which shall be in distress, or wrecked, stranded, or cast on shore, or any goods, merchandize, or articles of any kind belonging to such ship or vessel, every such offender, being convicted thereof, shall suffer death as a Felon; Provided always, that when articles of small value shall be stranded, or cast on shore, and shall be stolen, without circumstances of cruelty, outrage, or violence, it shall be lawful to prosecute and punish the offender as for Simple Larceny.

Clause XXXVIII.
Persons plundering, or stealing any goods, &c., from ship or vessel in distress, being convicted thereof to suffer death.
Proviso.—With respect to articles of small value stranded or cast on shore. Vide Act, No. 120.

And be it enacted by the Authority aforesaid, That if any goods, merchandize, or articles of any kind, belonging to any ship or vessel in distress, or wrecked, stranded, or cast on shore, as aforesaid, shall, by virtue of a Search Warrant, to be granted as hereinafter mentioned, be found in the possession of any person, or on the premises of any person, with his knowledge, and such person, being carried before a Justice of the Peace, shall not satisfy the Justice that he came lawfully by the same, then the same shall, by order of the Justice, be, forthwith delivered over to, or for the use of, the rightful owner thereof, and the offender, on conviction of such offence before the Justice, shall forfeit and pay, over and above the value of the goods, merchandize, or articles, such sum of money, not exceeding Fifty Pounds current money, as to the Justice shall seem meet.

Clause XXXIX.
Proceedings to be taken in regard to articles belonging to ship, or vessel in distress, found under Search Warrant, in possession of any person not able to account for the same.

And be it enacted, by the Authority aforesaid, That if any person shall offer, or expose for sale, any goods, merchandize, or articles, whatsoever, which shall have been unlawfully taken, or reasonably suspected so to have been, from any ship, or vessel in distress, or wrecked, stranded, or cast ashore, as aforesaid, in every such case, any person to whom the same shall be offered for sale, or any Officer of the Customs, or Peace Officer, may lawfully seize the same, and shall, with all convenient speed, carry the same, or give notice of such seizure to some Justice of the Peace, and if the person who shall have offered or exposed the same for sale, being duly summoned by such Justice shall not appear and satisfy the Justice that he came lawfully by such goods, merchandize, or articles, then the same shall, by order of the Justice, be forthwith delivered over to, or for the use of the rightful owner thereof, upon payment of a reasonable reward (to be ascertained by the Justice), to the person who seized the same, and the offender, on conviction of such offence by the Justice, shall forfeit and pay over and above the value of the goods, merchandize, or articles, such sum of money, not exceeding Fifty Pounds current money, as to the Justice shall seem meet.

Clause XL.
Persons offering goods or merchandize for sale, which shall have been unlawfully taken from ship or vessel in distress, &c., how to be dealt with, and proceedings therein.

And be it enacted, by the Authority aforesaid, That if any person shall steal, or shall, for any fraudulent purpose, take from its place of deposit, for the time being, or from any person having the lawful custody thereof, or shall unlawfully and maliciously obliterate, injure, or destroy, any record, writ, panel, process, interrogatory, deposition, affidavit, rule, order, or warrant of attorney, or any original document, whatsoever, of or belonging to any Public Office, or Court of Record, or relating to any matter, civil or criminal, begun, depending, or terminated in any such Court, or any bill, answer, interrogatory, deposition, affidavit, order or decree, or any original document, whatsoever, of or belonging to any Court of Equity, or relating to any cause, or matter, begun, depending, or terminated in any such Court, every such offender shall be guilty of a Misdemeanor, and being convicted thereof, shall be liable, at the discretion of the Court, to be transported beyond the seas for the term of seven years, or to suffer such

Clause XLI.
Persons, for fraudulent purposes, taking away or obliterating, injuring, or destroying any record, writ, &c., &c., belonging to any public office or Court of Record, &c., &c., to be deemed guilty of a Misdemeanor, and to be punished by Transportation, or by fine or imprisonment, or both.

by the banns, according to the Rubric of the Church of England, made in the Church, or usual place of public worship of the Parish in which the woman to be married shall then reside, or else by virtue of a licence in the form heretofore usually granted by the Governor or Commander-in-Chief for the time being; and all marriages which shall be performed otherwise than after due publication of banns, or under licence as aforesaid, shall be, and the same are thereby declared to be null and void to all intents and purposes whatsoever; and the Rector, Minister, Clerk, or other person, performing, or assisting at any such marriage ceremony, and the party or parties so taking each other as married, otherwise than is thereinbefore directed and allowed, shall each and every of them forfeit and pay the sum of One Hundred Pounds Current Money of Grenada, to be sued for, recovered and applied as hereinbefore directed; And whereas, the banns of marriage have sometimes been published in the several Churches of these Islands, after the reading of the second lesson, according to the law and practice of England, and not after the Nicene Creed, as directed by the Rubric of the Church of England; and whereas, it is proper and expedient to prevent any doubts as to the legality of marriages solemnized after banns so published;

Clause I.
Marriages heretofore solemnised by publication of banns in the church after the reading of the second lesson, declared to be legal and valid.

Be it, therefore, enacted, by the Governor, Council and Assembly of these Islands, and it is hereby enacted by Authority of the same, that all marriages whatsoever, which may have been solemnized after publication of banns by the Rectors or Ministers of all and every of the Cures within these Islands, made in the Church, or usual place of public worship of the parish in which the woman so married shall have resided, upon three several Sundays, during any part of Divine Service, shall be, and the same are hereby declared to be legal and valid to all intents and purposes whatsoever, anything in the aforesaid Act of these Islands, to the contrary thereof, in anywise notwithstanding.

Clause II.
Rectors and others who may have performed, or assisted at such marriages exempted from all penalties consequent thereto.

And be it, and it is hereby further enacted, by the Authority aforesaid, That the Rectors, Ministers, Clerks, or other persons who may have performed or assisted at any such marriage ceremony, and the party or parties who may thereupon have taken each other as married, shall be exempted and relieved, and they are hereby declared to be exempted and relieved of and from all penalties whatsoever, any thing in the said recited Act to the contrary thereof in anywise notwithstanding.

Clause III.
So much of recited Act as relates to the publication of banns of marriage repealed.

And be it enacted, by the Authority aforesaid, That so much of the said recited Act of these Islands as relates to the time of the publication of the banns of marriage shall be from and after the passing of this Act repealed, and the same is hereby repealed and declared null and void.

Clause IV.
Banns of Marriage, how to be published in future. Rectors, Curates and officiating ministers to govern themselves accordingly. Amended by Act, No. 186.

And be it further enacted, by the Authority aforesaid, That from and immediately after the passing of this Act, the publication of the banns of marriage within the several Parishes within this government shall be made three several Sundays, during the time of morning service, or of evening service, if there be no morning service, immediately after the reading of the second lesson from the Holy Scriptures in the Church, or usual place of public worship of the Parish in which the woman to be married shall then reside; and all Rectors, Curates, and officiating ministers of the several Cures within these Islands, and all persons concerned, are hereby required to take notice thereof, and govern themselves accordingly.

No. LXXVIII.

An Act to assimilate the Laws of Grenada and its Dependencies to the Laws of the United Kingdom of Great Britain and Ireland, as far as may be practicable, according to the circumstances and condition of this Colony.—[6th March, 1834.]

WHEREAS, the Common Law of England is the Birthright of Englishmen and their descendants, but, nevertheless, is not in all respects applicable to the circumstances and condition of distant Colonies; And whereas, many Acts of the Parliament of England, Great Britain, and the United Kingdom of Great Britain and Ireland, have been, in the course of time, necessarily altered, amended and repealed, and other good and wholesome Laws have been enacted, to the great improvement of civil and criminal justice; And whereas, it is expedient to assimilate the Laws of this Colony to the Laws of the United Kingdom, as much as may be practicable;

Be it, therefore, enacted, by your Majesty's most dutiful, loyal and obedient subjects, His Excellency the Governor and Commander-in-Chief of the Island of Grenada and the Grenadines, the Members of the Council, and the Representatives of the People of the said Islands in General Assembly convened, and it is hereby declared and enacted, by the Authority of the same, That so much and all such parts of the Common Law of England as have not been altered by any of the Acts or Statutes of the Parliaments of England, Great Britain, or the United Kingdom of Great Britain and Ireland, or by any Act or Acts of the Legislature of this Island; and such part of the Statute Law of England, Great Britain, and the United Kingdom of Great Britain and Ireland, so far as such parts of the said Common and Statute Law are applicable to the circumstances and condition of this Colony, and were in force on the last day of the Session of the Parliament of the United Kingdom of Great Britain and Ireland, which was held in the second and third years of the reign of his present Majesty King William the Fourth, shall be, and the same are, hereby declared to be in force.

It being expedient to assimilate the Laws of this Colony to the Laws of the United Kingdom, as far as may be practicable,

Clause I.
So much, therefore, of the common law as has not been altered by acts of the British Parliament, and such parts of the Statute Law as are alike applicable to the circumstances and condition of this colony, and were in force in the last session of Parliament, declared to be in force here.

No. LXXIX.

An Act for the better Administration of Criminal Justice.—[2nd August, 1834.]—Left to its operation by Order in Council, dated 23rd April, 1835.

Amended by Acts,
Nos. 115.
120.
168.
170.
181.

WHEREAS, great amendments and improvements have been made by the Imperial Parliament in the administration of Criminal Justice, by the repeal of numerous old statutes, and the consolidation and amendment of others relating thereto, the advantages whereof ought to be extended to these Islands, so far as the same are applicable; We, Your Majesty's most loyal and dutiful subjects, the Lieutenant Governor in and over the Island of Grenada and its Dependencies, and the Council and Assembly of the same, humbly pray Your Most Excellent Majesty, that it may be enacted;

And it is hereby enacted, by the Authority aforesaid, That the thirty-second section of an Act, passed in the seventh year of his late Majesty, King George the Fourth, entitled "An Act for improving the administration of Criminal Justice in England," and an Act passed in the seventh and eighth years of his late Majesty, King George the Fourth, entitled "An Act for repealing various statutes in England relative to the benefit of

Preamble.

Clause I.
The 32nd Section of the 7th George IV., and an Act also of the 7th and 8th of the same, and the 1st Clause of an Act of the 9th of

George IV., extended to these Islands.

Clause II.

Persons apprehended on charge or suspicion of Felony, when the same shall be supported by credible evidence, to be committed to prison by Justice or Justices of the Peace before whom they shall be so charged. But if only one Justice be present, and the evidence be neither sufficient to warrant presumption of guilt, nor dismissal of charge, party to be detained in custody until taken before two Justices at least. When charge shall not be supported, or guilt proved, and yet grounds appear for Judicial enquiry, the party charged shall be admitted to Bail.

Clause III.

Justices of the Peace before admitting to bail, or committing to prison for Felony, shall take examination of party, and information upon oath concerning the facts of the case, and shall certify such bail in writing, and bind by recognizance necessary witnesses to appear at the next Courts to prosecute or give evidence.

Justices shall subscribe all such examinations, &c., and deliver the same to the Clerk of the Court within six days thereafter, if in Grenada, or 20 days if in Carriacou—may call upon sureties to justify bail.

Clause IV.

In cases of Misdemeanor, Justice or Justices of the Peace, to proceed in like manner in respect to examinations, recognizances, bailments, or committal to pri-

Clergy, and to Larceny, and other offences connected therewith, and to malicious injuries to property, and to remedies against the hundred;” and the first clause of an Act passed in the ninth year of his late Majesty, King George the Fourth, entitled “An Act for consolidating and amending the statutes in England relative to offences against the Person,” being severally clauses for the repeal of certain Acts and parts of Acts, shall be, and the same are hereby extended to these Islands.

And be it enacted, by the Authority aforesaid, That where any person shall be taken on a charge of Felony, or suspicion of Felony, before one or more Justice or Justices of the Peace, and the charge shall be supported by positive and credible evidence of the fact, or by such evidence as if not explained or contradicted shall, in the opinion of the Justice or Justices, raise a strong presumption of the guilt of the person charged, such person shall be committed to prison by such Justice or Justices in the manner hereinafter mentioned; but if there shall be only one Justice present, and the whole evidence given before him shall be such as neither to raise a strong presumption of guilt, nor to warrant the dismissal of the charge, such Justice shall order the person charged to be detained in custody until he or she shall be taken before two Justices at least, and where any person so taken, or any person in the first instance taken before two Justices of the Peace shall be charged with Felony, or any suspicion of Felony, and the evidence given in support of the charge shall, in their opinion, not be such as to raise a strong presumption of the guilt of the person so charged, and to require his or her committal, or such evidence shall be adduced on behalf of the person charged as shall, in their opinion, weaken the presumption of his or her guilt, but there shall, notwithstanding, appear to them in either of such cases to be sufficient ground for judicial enquiry into his or her guilt, the person charged shall be admitted to Bail by such two Justices in the manner hereinafter mentioned.

And be it further enacted by the Authority aforesaid, That the two Justices of the Peace before they shall admit to bail, and the Justice or Justices, before he or they shall commit to prison, any person arrested for Felony, or on suspicion of Felony, shall take the examination of such person, and the information upon oath of those who shall know the facts and circumstances of the case, and shall put the same, or as much thereof as shall be material, into writing, and the two Justices shall certify such bailment in writing, and every such Justice shall have authority to bind by recognizance all such persons as know or declare any thing material touching any such Felony, or suspicion of Felony, to appear at the next Session of the Supreme Court of Judicature, at which the trial thereof is intended to be, then and there to prosecute or give evidence against the party accused; and such Justice and Justices respectively shall subscribe all such examinations, informations, bailments, and recognizances, and deliver, or cause the same to be delivered, to the Clerk of the Crown within six days thereafter, if in Grenada, or if in Carriacou within twenty days; and such Justice or Justices, who shall require such recognizance or recognizances, shall enquire and consider whether the bail offered by the accused is sufficient, and shall at their discretion, require the surety or sureties to justify by making oath respectively, that he or she being the surety offered, is possessed, in his or her own right, of property, sufficient to pay all his or her own just debts, and over and above the amount to satisfy the recognizance by him or her undertaken.

And be it further enacted, by the authority aforesaid, That every Justice of the Peace before whom any person shall be taken on a charge of Misdemeanor, or suspicion thereof, shall take the examination of the person charged, and the information upon oath of those who shall know the facts and circumstances of the case, and shall put the same, or as much thereof as shall be material, into writing, before he shall commit to prison or require bail from the person so charged; and in every case of bailment shall certify

such goods or merchandize, or any of the said documents, as a security for their own benefit, any money, or negotiable instrument, borrowed or received by such Factor guilty of Misdemeanor, and liable to be transported, or Agent at or before the time of making such deposit or pledge, or intended to be thereafter borrowed or received, every such offender shall be at the discretion of the Court, to be transported beyond the seas for any term not exceeding fourteen years, nor less than seven years, or to suffer such other punishment, by fine or imprisonment, or by both, as the Court shall award; but no such Factor or Agent shall be liable to any prosecution for depositing, or pledging, any such goods, or merchandize, or any of the said documents, in case the same shall not be made a security for or subject to the payment of, any greater sum of money than the amount which, at the time of such deposit or pledge was justly due and owing to such Factor or Agent, from his principal, together with the amount of any bill, or bills of exchange, drawn by, or on account of, such principal, and accepted by such Factor or Agent.

Provided always, and be it enacted, by the Authority aforesaid, That nothing in this Act contained, nor any proceeding, conviction, or judgment, to be had, or taken thereupon, against any Merchant, Factor, Attorney, or other Agent, as aforesaid, shall prevent, lessen, or impeach, any remedy at Law, or in Equity, which any party aggrieved by any such offence might or would have had if this Act had not been passed; but, nevertheless, the conviction of any such offender shall not be received, in evidence, in any action at Law, or suit in Equity, against him, and no Merchant, Factor, Attorney, or other Agent, as aforesaid, shall be liable to be convicted by any evidence whatever as an offender against this Act, in respect of any act done by him, if he shall, at any time previously to his being indicted for such offence, have disclosed such act on oath, in consequence of any compulsory process of any Court of Law or Equity, in any action, suit, or proceeding, which shall have been, *bona fide*, instituted by any party act upon oath in consequence of compulsory proceedings, in

Clause LV.
No proceedings, conviction, or judgment, against any Factor, Agent, &c., as before mentioned, to lessen or impeach any remedy, at Law or in Equity, which party aggrieved by such offence would have had, if this Act had not passed, but conviction of offence not to be received in evidence; Nor any conviction take place if offender shall, previously to being indicted, disclose such action or suit, &c.

And whereas, a failure of Justice frequently arises from the subtle distinction between Larceny and Fraud, for remedy thereof, Be it enacted, by the Authority aforesaid, That if any person shall, by any false pretence, obtain from any other person any chattel, money, or valuable security, with intent to cheat or defraud any person of the same, every such offender shall be guilty of a misdemeanor, and being convicted thereof, shall be liable, at the discretion of the Court, to be transported beyond the seas for the term of seven years, or to suffer such other punishment by fine or imprisonment, or by both, as the Court shall award; Provided always, That if upon the trial of any person indicted for such misdemeanor, it shall be proved that he obtained the property in question in any such manner as to amount in Law to Larceny, he shall not, by reason thereof, be entitled to be acquitted of such misdemeanor, and no such Indictment shall be removable by Certiorari: and no person tried for such misdemeanor shall be liable to be afterwards prosecuted for Larceny upon the same facts.

Clause LVI.
Persons, by false pretences, obtaining from others, chattel, money, or valuable security, with intent to cheat or defraud, guilty of Misdemeanor. Punishment for the same.

If, upon trial, the offence shall prove to be Larceny, prisoner not to be entitled to acquittal, nor liable to be afterwards tried for Larceny upon the same facts.

And with regard to receivers of stolen property, Be it enacted, by the Authority aforesaid, That if any person shall receive any chattel, money, valuable security, or other property whatsoever, the stealing or taking whereof, shall amount to a Felony, either at Common Law, or by virtue of this Act, such person, knowing the same to have been feloniously stolen or taken, every such receiver shall be guilty of Felony, and may be indicted and convicted, either as an accessory after the fact, or for a substantive Felony, and in the latter case, whether the principal felon, shall or shall not have been previously convicted, or shall or shall not be amenable to Justice, and every such receiver, howsoever convicted, shall be liable, at the discretion of the Court, to be transported beyond the seas, for any term not exceeding fourteen years, nor less than seven years, or to be imprisoned for any term not exceeding three years, and, if a male, to be once, twice, or thrice, pub-

Clause LVII.
Receivers of stolen property, knowing the same to have been feloniously stolen, guilty of Felony, and may be indicted either as accessory after the fact, or for a substantive Felony.

Punishment therefor.

time when the offence was committed, where time is not of the essence of the offence, &c.

other descriptive appellation, instead of his, her, or their proper name or names, nor for omitting to state the time at which the offence was committed, in any case where time is not of the essence of the offence, not for stating the time imperfectly, nor for stating the offence to have been committed on a day subsequent to the finding of the Indictment, or exhibiting the Information on an impossible day, or on a day that never happened, nor for want of a proper or perfect name when the Court shall appear by the Indictment or Information to have had jurisdiction over the offence.

Clause X.
Judgment after verdict for Felony, or Misdemeanor, not to be stayed or reversed for want of a similitur, or that the Jury process was awarded to a wrong Officer upon an insufficient suggestion, nor for misnomer, nor misdescription, &c. &c.

And be it further enacted, by the authority aforesaid, That no Judgment after verdict upon any Indictment or Information for any Felony or Misdemeanor shall be stayed or reversed for want of a Similitur, nor by reason that the Jury process has been awarded to a wrong Officer upon an insufficient suggestion, nor for any misnomer or misdescription of the Officer returning such process, or of any of the Jurors, nor because any person has served upon the Jury who has not been returned as a Juror by the Provost Marshal General, or other Officer, and that where the offence charged has been created by any statute, or subjected to a greater degree of punishment, or excluded from the benefit of Clergy by any Statute, the Indictment or Information shall after verdict be held sufficient to warrant the punishment prescribed by the Statute, if it describes the offence in the words of the Statutes.

Clause XI.
Persons arraigned upon Indictment for Treason, Felony, or Piracy, pleading "Not Guilty," to be deemed to have put themselves upon the Country for trial.
Persons standing mute upon any such indictment, Court may order plea of "Not Guilty" to be entered, &c.

And be it further enacted, by the authority aforesaid, That if any person being arraigned upon any Indictment for Treason, Felony, or Piracy, shall plead thereto a plea of "Not Guilty," he shall, by such plea, without any further form, be deemed to have put himself upon the country for trial, and the Court shall, in the usual manner, order a Jury for the trial of such person, accordingly; and if any person being arraigned upon, or charged with any Indictment or Information for Treason, Felony, Piracy, or Misdemeanor, shall stand mute, of malice, or will not answer directly to the Indictment or Information, in every such case it shall be lawful for the Court, if it shall so think fit, to order the proper Officer to enter a plea of "Not Guilty," on behalf of such person, and the plea so entered shall have the same force and effect as if such person had actually pleaded the same.

Clause XII.
Persons upon capital Indictments, challenging a greater number of Jurors than allowed by law, such challenges to be void.

And be it enacted, by the authority aforesaid, That if any person, indicted for any Treason, Felony, or Piracy, shall challenge peremptorily a greater number of the men returned to be of the Jury than such person is entitled by Law so to challenge, in any of the said cases every peremptory challenge, beyond the number allowed by Law, in any of the said cases shall be entirely void, and the trial of such person shall proceed as if no such challenge had been made.

Clause XIII.
No attainder to be pleaded in bar of any Indictment, unless for the same offence as then charged.

And be it enacted, by the authority aforesaid, That no plea setting forth any attainder shall be pleaded in bar of any Indictment, unless the attainder be for the same offence as that charged in the Indictment.

Clause XIV.
Upon Indictments for Felony, Jury not to be charged to inquire of Prisoner's lands, tenements, &c.

And be it enacted, by the authority aforesaid, That where any person shall be indicted for Treason or Felony, the Jury empanelled to try such person shall not be charged to inquire concerning his Lands, Tenements, or Goods, nor whether he fled for such Treason or Felony.

Clause XV.
Benefit of Clergy in cases of Felony abolished. Nothing to prevent Joinder of any Counts as heretofore in Indictments.

And be it enacted, by the authority aforesaid, That Benefit of Clergy, with respect to persons convicted of Felony, shall be abolished, but that nothing herein contained shall prevent the Joinder in any Indictment of any Counts which might have been joined before the passing of this Act.

Clause XVI.
No person to suffer death for any Felony but such as excluded the Benefit of Clergy, previously to the present Act, &c.

And be it enacted, by the authority aforesaid, That no person convicted of Felony shall suffer death, unless it be for some Felony which was excluded from the Benefit of Clergy before or on the day of the publication of this Act, or which hath been, or shall be made punishable with death by some statute passed after that day.

Clause XVII.

And be it enacted, by the authority aforesaid, That every person con-

victed of any Felony, not punishable with death, shall be punished in the manner prescribed by the Statute or Statutes specially relating to such Felony, and that every person convicted of any Felony, for which no punishment hath been, or hereafter may be specially provided, shall be deemed to be punishable under this Act, and shall be liable at the discretion of the Court to be transported beyond the Seas for the term of seven years, or to be imprisoned, for any term not exceeding two years, and if a male to be once, twice, or thrice publicly or privately whipped (if the Court shall so think fit,) in addition to such imprisonment.

How persons may be punished for Felonies not punishable with death, or for which no punishment has been specially awarded.

And be it enacted, by the authority aforesaid, That whenever sentence shall be passed for Felony, on a person already imprisoned under sentence for another crime, it shall be lawful for the Court to award imprisonment for the subsequent offence, to commence at the expiration of the imprisonment to which such person shall have been previously sentenced; and where such person shall be already under sentence either of imprisonment or transportation, the Court, if empowered to pass sentence of transportation, may award such sentence for the subsequent offence to commence at the expiration of the imprisonment or transportation to which such person shall have been previously sentenced, although the aggregate term of imprisonment or transportation respectively may exceed the term for which either of those punishments could be otherwise awarded.

Clause XVIII.

Persons under sentence of transportation or imprisonment for a previous offence, may be further sentenced to imprisonment or transportation, upon trial for a subsequent one, the same in either case to commence at the expiration of the former sentence.

And whereas, it is expedient to provide for the more exemplary punishment of offenders who commit Felony, after a previous conviction for Felony, whether such conviction shall have taken place before or after the commencement of this Act; Be it therefore enacted, by the authority aforesaid, That if any person shall be convicted of any Felony, not punishable with death, committed after a previous conviction for Felony, such person shall, on such subsequent conviction, be liable, at the discretion of the Court, to be transported beyond the Seas for life, or for any term not less than seven years, or to be imprisoned for any term not exceeding four years, and if a male, to be once, twice, or thrice publicly or privately whipped, if the Court shall so think fit, in addition to such imprisonment; and in an Indictment for any such Felony, committed after a previous conviction for Felony, it shall be sufficient to state that the offender was, at a certain time and place, convicted of Felony, without otherwise describing the previous Felony, and a certificate containing the substance and effect only (omitting the formal part) of the Indictment and conviction for the previous Felony, purporting to be signed by the Secretary and Clerk of the Crown, or other Officer having the custody of the records of the Court where the offender was first convicted, or by the Deputy of such Clerk or Officer (for which certificate a fee of ten shillings current money, and no more, shall be demanded or taken) shall, upon proof of the identity of the person of the offender be sufficient evidence of the first conviction, without proof of the signature or official character of the person appearing to have signed the same; and if any such Clerk, Officer, or Deputy shall utter a false certificate of any Indictment and conviction for a previous Felony, or if any other than such Clerk, Officer, or Deputy, shall utter such certificate, with a false or counterfeit signature thereto, every such offender shall be guilty of Felony, and being lawfully convicted thereof, shall be liable, at the discretion of the Court, to be transported beyond the seas for the term of seven years, or to be imprisoned for any term not exceeding two years.

Clause XIX.

Persons convicted of Felony not punishable with death, after a previous conviction for Felony, how punishable for such subsequent offence, and manner of proceeding therein.

Clerk of the Crown, Officer, Deputy, or the person uttering a false certificate of Indictment and conviction as herein mentioned, shall be deemed to be guilty of Felony, and upon conviction thereof, be sentenced to transportation, or imprisonment.

And be it declared and enacted by the authority aforesaid, That where the King's Majesty shall be pleased to extend his Royal mercy to any offender convicted of any Felony, punishable with death, or otherwise, and by warrant under his Royal Sign Manual, countersigned by one of his principal Secretaries of State, shall grant to such offender either a free or conditional pardon, the discharge of such offender out of custody in the case of a free pardon, and the performance of a condition in the case of a

Clause XX.

Extension of the Royal Mercy to offenders sentenced to death or otherwise, and cases of free or conditional pardon operation of in such instances, and in respect to

subsequent convictions.

conditional pardon, shall have the effect of a pardon under the Great Seal for such offender as to the Felony for which such pardon shall be so granted: Provided always, That no free pardon, nor any such discharge in consequence thereof, nor any conditional pardon, nor the performance of the condition thereof in any of the cases aforesaid, shall prevent or mitigate the punishment to which the offender might otherwise be lawfully sentenced on a subsequent conviction for any Felony committed after the granting of any such pardon.

Clause XXI.

Offender convicted of Felony not punishable with death, and having undergone the sentenced punishment, shall be in same situation as though a free pardon had been granted to him under the Great Seal for such said Felony, but the same not to operate in regard to any subsequent conviction for another Felony.

And whereas, it is expedient to prevent all doubts respecting the Civil rights of persons convicted of Felonies, not capital, who have undergone the punishment to which they were adjudged; Be it, therefore, enacted by the authority aforesaid, That where any offender hath been or shall be convicted of any Felony not punishable with death, and hath endured or shall endure the punishment to which such offender hath been or shall be adjudged for the same, the punishment so endured hath and shall have the like effects and consequence as a pardon under the Great Seal, as to the Felony whereof the offender was so convicted: Provided always, That nothing herein contained, nor the enduring such punishment, shall prevent or mitigate any punishment to which the offender might otherwise be lawfully sentenced on a subsequent conviction for any other Felony.

Clause XXII.

Persons convicted of any Misdemeanors (Perjury excepted) and who shall undergo the punishment thereof, not to be considered as incompetent witnesses in consequence.

And whereas there are certain Misdemeanors which rendered the parties convicted thereof incompetent witnesses, and it is expedient to restore the competency of such parties after having undergone their punishment, Be it, therefore, enacted, by the authority aforesaid, That where any offender hath been or shall be convicted of any such misdemeanor (except Perjury or Subornation of Perjury) and hath endured or shall endure the punishment to which such offender hath been, or shall be adjudged for the same, such offender shall not, after the punishment so endured, be deemed to be, by reason of such Misdemeanor, an incompetent witness in any Court or proceeding, civil or criminal.

Clause XXIII.

Extension of meaning given to words, numbers, genders, and persons, &c., in this Act.

And be it enacted, by the authority aforesaid, That wherever this, or any other Statute, relating to any offence, whether punishable upon Indictment or summary conviction, in describing or referring to the offence or the subject matter on, or with respect to which it shall be committed, or the offender, or the party affected or intended to be affected by the offence, hath used, or shall use, words importing the singular number or masculine gender only, yet the Statute shall be understood to include several matters as well as one matter, and several persons as well as one person, and females as well as males, and public bodies as well as individuals, unless it be otherwise specially provided, or there be something in the subject or context repugnant to such construction; and whenever any forfeiture or penalty is payable to a party aggrieved, it shall be payable to a public body, in every case where such body shall be the party aggrieved,

Clause XXIV.

Distinction between Grand and Petty Larceny abolished.

And be it enacted, by the authority aforesaid, That the distinction between Grand Larceny and Petty Larceny, shall be abolished, and every Larceny, whatever be the value of the property stolen, shall be deemed to be of the same nature, and shall be subject to the same incidents, in all respects, as Grand Larceny was before the commencement of this Act, and every Court, whose powers as to the trial of Larceny was before the commencement of this Act limited to Petty Larceny, shall have power to try every case of Larceny, the punishment of which cannot exceed the punishment hereinafter mentioned for simple Larceny, and also to try all accessories to such Larceny.

Clause XXV.

Punishment of Larceny.
Vide Act, No. 181, Clause 5.

And be it enacted, by the authority aforesaid, That every person convicted of Simple Larceny, or of any Felony hereby made punishable like Simple Larceny, shall (except in the cases hereinafter otherwise provided for) be liable, at the discretion of the Court, to be imprisoned for any term not exceeding two years, or to be transported beyond the seas for the term of seven years, and if a male to be once, twice, or thrice publicly or

privately whipped (if the Court shall so think fit) in addition to such imprisonment.

And be it enacted, by the Authority aforesaid, That if any person shall rob any other person of any chattel, money, or valuable security, every such offender, being convicted thereof, shall suffer death as a Felon; and if any person shall steal any such property from the person of another, or shall assault any other person, with intent to rob him, or shall, with menaces, or by force, demand any such property of any other person, with intent to steal the same, every such offender shall be guilty of Felony, and being convicted thereof, shall be liable, at the discretion of the Court, to be transported beyond the seas for life, or for any term not less than seven years, or to be imprisoned, for any term not exceeding four years, and if a male, to be once, twice, or thrice publicly or privately whipped (if the Court shall so think fit) in addition to such imprisonment.

Clause XXVI.
Punishment for robbery of Chattel, Money, or valuable security;
Or for stealing such from the person of another, or for assault, with intent to rob, &c.
Vide Act, No. 120.

And be it declared and enacted, by the authority aforesaid, That if any person shall accuse, or threaten to accuse any other person of any infamous crime, as hereinafter defined, with a view, or intent to extort, or gain from him, and shall, by intimidating him, by such accusation, or threat, extort or gain from him, any chattel, money, or valuable security, every such offender shall be deemed guilty of Robbery, and shall be indicted and punished accordingly.

Clause XXVII.
Punishment for accusing or threatening to accuse any person of an infamous crime, with intent to extort money, &c.
Vide Act, No. 120.

And be it enacted by the authority aforesaid, That if any person shall knowingly send or deliver any letter, or writing, demanding of any person, with menaces, and without any reasonable or probable cause, any Chattel, Money, or valuable security, or if any person shall accuse, or threaten to accuse, or shall knowingly send, or deliver, any letter, or writing, accusing, or threatening to accuse, any person of any crime, punishable, by Law, with death, transportation, or pillory; or of any assault, with intent to commit any Rape, or of any attempt to endeavour to commit any Rape, or of any infamous crime, as hereinafter defined, with a view or intent to extort or gain from any such person, any chattel, money, or valuable security, every such offender shall be guilty of Felony, and being convicted thereof, shall be liable, at the discretion of the Court, to be transported beyond the Seas for life, or for any term not less than seven years, or to be imprisoned for any term not exceeding four years, and, if a male, to be once, twice, or thrice publicly or privately whipped (if the Court shall think fit) in addition to such imprisonment.

Clause XXVIII.
Punishment for sending threatening letters, demanding Money, &c., or threatening to accuse any person of a crime punishable with Death, Transportation, or Pillory, &c., &c.

And for defining what shall be an infamous crime, within the meaning of this Act, Be it enacted by the authority aforesaid, That the abominable crime of Buggery, committed either with mankind, or with beasts, and every assault with intent to commit the said abominable crime, and every attempt or endeavour to commit the said abominable crime, and every solicitation, persuasion, promise, or threat offered or made to any person, whereby to move or induce such person to commit or permit the said abominable crime, shall be deemed to be an infamous crime within the meaning of this Act.

Clause XXIX.
Infamous Crimes within the meaning of this Act defined.

And be it enacted, by the Authority aforesaid, That if any person shall break and enter any Church or Chapel, and steal therein any Chattel belonging to said Church or Chapel, or having stolen any such Chattel, in any Church or Chapel, shall break out of the same, every such offender, being convicted thereof, shall suffer death as a Felon.

Clause XXX.
Repealed by Act, No. 168, Clause 1. and other provisions thereby substituted.

And be it enacted, by the Authority aforesaid, That every person convicted of Burglary, shall suffer death as a Felon, and it is hereby declared, that if any person shall enter the dwelling house of another, with intent to commit Felony, or, being in any dwelling house, shall commit any Felony, and shall, in either case, break out of the said dwelling-house in the night time, such person shall be deemed guilty of Burglary.

Clause XXXI.
Punishment for committing Burglary, and definition thereof.
Vide Act, No. 115.

And be it enacted, by the Authority aforesaid, That if any person shall break and enter any dwelling-house, and steal therein any chattel, money,

Clause XXXII.
Punishment for

Clause LXVII.

Persons aiding, abetting, or counselling the commission of offences punishable, on summary conviction, for first or subsequent times before a Justice of the Peace, liable to same punishment on each occasion as the principal

And be it enacted, by the authority aforesaid, That if any person shall aid, abet, counsel, or procure the commission of any offence, which is by this Act punishable on summary conviction, either for every time of its commission, or for the first and second time only, or for the first time only, every such person shall, on conviction before a Justice of the Peace, be liable for every first, second, or subsequent offence of aiding, abetting, counselling, or procuring, to the same forfeiture and punishment to which a person guilty of a first, second, or subsequent offence as a principal offender is by this Act made liable.

offender is made subject to, by this Act.

Clause LXVIII.

Setting fire to any Church or Chapel, House, Stable, Shop, &c., unlawfully and maliciously, whether the same belong to the offender himself or not, punishable with death. Vide Act, No. 170.

And be it enacted, by the Authority aforesaid, That if any person shall unlawfully and maliciously set fire to any Church or Chapel, or to any Chapel, for the religious worship of persons dissenting from the United Church of England and Ireland, or shall unlawfully or maliciously set fire to any House, Stable, Coach-house, Out-house, Ware-house, Office, Shop, Mill, or to any building or erection used in carrying on any trade or manufacture, or any branch thereof, whether the same, or any of them, respectively, shall then be in the possession of the offender, or in the possession of any other person, with intent thereby to injure or defraud any person, every such offender shall be guilty of felony, and, being convicted thereof, shall suffer death as a felon.

Clause LXIX.

Maliciously destroying or damaging any machine or engine, fixed or moveable, employed in any manufacture,—

And be it enacted, by the authority aforesaid, That if any person shall unlawfully and maliciously cut, break, and destroy, or damage, with intent to destroy or to render useless any machine or engine, whether fixed or moveable, prepared for, or employed in, any manufacture whatsoever, every such offender shall be guilty of felony, and being convicted thereof, shall be liable, at the discretion of the Court, to be transported beyond the seas for the term of seven years, or to be imprisoned for any term not exceeding two years, and, if a male, to be once, twice, or thrice, publicly or privately whipped (if the Court shall so think fit) in addition to such imprisonment.

Punishment for.

Clause LXX.

Riotously and tumultuously pulling down, or beginning to pull down, or demolish any Church, Chapel, &c.; or any house, stable, ware-house, &c., &c., declared felony, and punishable with death. Vide Act, No. 168. Clause 2.

And be it enacted, by the authority aforesaid, That if any persons riotously and tumultuously assembled together, to the disturbance of the public peace, shall unlawfully, and with force, demolish, pull down, or destroy, or begin to demolish, pull down or destroy any Church or Chapel, or any Chapel, for the religious worship of persons dissenting from the United Church of England and Ireland, or any House, Stable, Coach-house, Out-house, Ware-house, Office, Shop, Mill, or any building, or erection used in carrying on any trade or manufacture, or any branch thereof, or any machinery, whether fixed or moveable, prepared for, or employed in any manufacture, or in any branch thereof, or any steam engine, or other engine, every such offender shall be guilty of felony, and, on being convicted thereof, shall suffer death as a felon.

Clause LXXI.

Maliciously setting fire to any ship or vessel, whether the same be complete or not, or of any goods on board, with intent to prejudice underwriters on insurance, &c.

And be it enacted by the authority aforesaid, That if any person shall unlawfully and maliciously set fire to, or in any wise destroy, any Ship or Vessel, whether the same be complete, or in an unfinished state, or shall unlawfully and maliciously set fire to, cast away, or in any wise destroy any Ship or Vessel, with intent thereby to prejudice any owner or part owner of such Ship or Vessel, or of any goods on board the same, or any person that hath underwritten, or shall underwrite any policy of Insurance upon such Ship or Vessel, or on the freight thereof, or upon any goods on board the same, every such offender shall be guilty of felony, and being convicted thereof, shall suffer death as a felon.

Punishment for the same, death. Vide Act, No. 170.

Clause LXXII.

Maliciously damaging any vessel, otherwise than by fire—

And be it enacted, by the authority aforesaid, That if any person shall unlawfully and maliciously damage, otherwise than by fire, any ship or vessel, whether complete, or in an unfinished state, with intent to destroy the same, or to render the same useless, every such offender shall be guilty of Felony, and being convicted thereof, shall be liable, at the discretion of the Court, to be transported beyond the seas for the term of seven years, or to be imprisoned for any term not exceeding two years, and, if a male, to

Punishment for.

informing or seizing the said produce, goods, or merchandize, and the other half to the Public Treasurer of these Islands, for the public uses of the Colony, and the offender, on conviction, shall forfeit and pay, over and above the value of the produce, goods, and merchandize, such sum of money, not exceeding Fifty Pounds current money, as to the Justice or Justices shall seem meet.

And be it enacted, by the Authority aforesaid, That if any person shall plunder or steal any part of any ship or vessel which shall be in distress, or wrecked, stranded, or cast on shore, or any goods, merchandize, or articles of any kind belonging to such ship or vessel, every such offender, being convicted thereof, shall suffer death as a Felon; Provided always, that when articles of small value shall be stranded, or cast on shore, and shall be stolen, without circumstances of cruelty, outrage, or violence, it shall be lawful to prosecute and punish the offender as for Simple Larceny.

Clause XXXVIII.
Persons plundering, or stealing any goods, &c., from ship or vessel in distress, being convicted thereof to suffer death.
Proviso.—With respect to articles of small value stranded or cast on shore. Vide Act, No. 120.

And be it enacted by the Authority aforesaid, That if any goods, merchandize, or articles of any kind, belonging to any ship or vessel in distress, or wrecked, stranded, or cast on shore, as aforesaid, shall, by virtue of a Search Warrant, to be granted as hereinafter mentioned, be found in the possession of any person, or on the premises of any person, with his knowledge, and such person, being carried before a Justice of the Peace, shall not satisfy the Justice that he came lawfully by the same, then the same shall, by order of the Justice, be, forthwith delivered over to, or for the use of, the rightful owner thereof, and the offender, on conviction of such offence before the Justice, shall forfeit and pay, over and above the value of the goods, merchandize, or articles, such sum of money, not exceeding Fifty Pounds current money, as to the Justice shall seem meet.

Clause XXXIX.
Proceedings to be taken in regard to articles belonging to ship, or vessel in distress, found under Search Warrant, in possession of any person not able to account for the same.

And be it enacted, by the Authority aforesaid, That if any person shall offer, or expose for sale, any goods, merchandize, or articles, whatsoever, which shall have been unlawfully taken, or reasonably suspected so to have been, from any ship, or vessel in distress, or wrecked, stranded, or cast on shore, as aforesaid, in every such case, any person to whom the same shall be offered for sale, or any Officer of the Customs, or Peace Officer, may lawfully seize the same, and shall, with all convenient speed, carry the same, or give notice of such seizure to some Justice of the Peace, and if the person who shall have offered or exposed the same for sale, being duly summoned by such Justice shall not appear and satisfy the Justice that he came lawfully by such goods, merchandize, or articles, then the same shall, by order of the Justice, be forthwith delivered over to, or for the use of the rightful owner thereof, upon payment of a reasonable reward (to be ascertained by the Justice), to the person who seized the same, and the offender, on conviction of such offence by the Justice, shall forfeit and pay over and above the value of the goods, merchandize, or articles, such sum of money, not exceeding Fifty Pounds current money, as to the Justice shall seem meet.

Clause XL.
Persons offering goods or merchandize for sale, which shall have been unlawfully taken from ship or vessel in distress, &c., how to be dealt with, and proceedings therein.

And be it enacted, by the Authority aforesaid, That if any person shall steal, or shall, for any fraudulent purpose, take from its place of deposit, or the time being, or from any person having the lawful custody thereof, any record, or shall unlawfully and maliciously obliterate, injure, or destroy, any record, writ, panel, process, interrogatory, deposition, affidavit, rule, order, or warrant of attorney, or any original document, whatsoever, of or belonging to any Public Office, or Court of Record, or relating to any matter, civil or criminal, begun, depending, or terminated in any such Court, or any will, answer, interrogatory, deposition, affidavit, order or decree, or any original document, whatsoever, of or belonging to any Court of Equity, or relating to any cause, or matter, begun, depending, or terminated in any such Court, every such offender shall be guilty of a Misdemeanor, and being convicted thereof, shall be liable, at the discretion of the Court, to be transported beyond the seas for the term of seven years, or to suffer such

Clause XLI.
Persons, for fraudulent purposes, taking away or obliterating, injuring, or destroying any record, writ, &c., &c., belonging to any public office or Court of Record, &c., &c., to be deemed guilty of a Misdemeanor, and to be punished by Transportation, or by fine or imprisonment, or both.

other punishment, by fine or imprisonment, or by both, as the Court shall award; and it shall not, in any Indictment for such offence, be necessary to allege that the article, in respect of which the offence is committed, is the property of any person, or that the same is of any value.

Clause XLII.

Persons, for fraudulent purposes, stealing, destroying, or concealing any Will, Codicil, or other Testamentary instrument, to be guilty of a Misdemeanor, and punished accordingly.

And be it enacted, by the Authority aforesaid, That if any person shall, either during the life of the Testator, or Testatrix, or after his or her death, steal, or for any fraudulent purpose, destroy, or conceal, any Will, Codicil, or other testamentary instrument, whether the same shall relate to real or personal estate, or to both, every such offender shall be guilty of a Misdemeanor, and being convicted thereof, shall be liable to any of the punishments which the Court may award as herein-before last mentioned; and it shall not in any Indictment for such offence be necessary to allege that such Will, Codicil, or other instrument, is the property of any person, or that the same is of any value.

Clause XLIII.

Stealing any Parchment, or Title Deeds to any real estate, declared to be a Misdemeanor, and punishable accordingly. Not necessary upon Indictment to allege the thing stolen to be of any value, but merely evidence of title, &c.

And be it enacted, by the Authority aforesaid, That if any person shall steal any paper, or parchment, written, or printed, or partly written, and partly printed, being evidence of the title, or any part of the title, to any real estate, every such offender shall be deemed guilty of a Misdemeanor, and being convicted thereof, shall be liable to any of the punishments which the Court may award, as herein-before last mentioned; and in any Indictment, for such offence, it shall be sufficient to allege the thing stolen, to be evidence of the title, or part of the title, of the person, or of some one of the persons, having a present interest, whether legal or equitable, in the real estate to which the same relates, and to mention such real estate, or some part thereof, and it shall not be necessary to allege the thing stolen to be of any value.

Clause XLIV.

Proceedings, conviction, and judgment, in such Misdemeanors, not to prevent any remedy at Law or in Equity, which party aggrieved might have had if this Act had not been passed. But conviction of any such offender shall not be received in evidence upon action at Law or suit in Equity against him, nor shall any conviction take place, if he had previously disclosed such act.

And be it enacted, by the Authority aforesaid, That nothing in this Act contained, relative to either of the Misdemeanors, aforesaid, nor any proceedings, conviction, or judgment to be had or taken thereupon, shall prevent, lessen, or impeach, any remedy at law, or in equity, which any party aggrieved by any such offence might or would have had if this Act had not been passed; but, nevertheless, the conviction of any such offender shall not be received, in evidence, in any Action at Law, or suit in Equity, against him, and no person shall be liable to be convicted of either of the Misdemeanors aforesaid, by any evidence, whatever, in respect of any Act done by him, if he shall, at any time, previously to his being indicted, for such offence, have disclosed such act, on oath, in consequence of any compulsory process of any Court of Law, or Equity, in any action, suit, or proceeding, which shall have been, *bona fide*, instituted by any party aggrieved.

Clause XLV.

Stealing any horse, gelding, colt, filly, mare, ass, male, bull, cow, heifer, calf, ram, ewe, sheep, or lamb, or killing either of them with intent to steal the carcase, declared Felony. Punishment upon conviction thereof.

And be it enacted, by the Authority aforesaid, That if any person shall steal any horse, mare, gelding, colt, filly, ass, or mule, or any bull, cow, ox, heifer, or calf, or any ram, ewe, sheep, or lamb, or shall wilfully kill any of such cattle, with intent to steal the carcase, or skin, or any part of the cattle, so killed, every such offender shall be guilty of Felony, and, being convicted thereof, shall be transported beyond the seas for life, or shall be imprisoned, with or without hard labour, for any term not exceeding four years, and, if a male, to be once, twice, or thrice, privately or publicly whipped, in addition to such imprisonment and hard labour (if the Court shall so think fit.)

Clause XLVI.

Stealing, &c., any glass, wood-work, metal, utensil, or fixture of any kind, being private property, in any street, square, &c., declared to be Felony, and punishable as Simple Larceny.

And be it enacted, by the Authority aforesaid, That if any person shall steal or rip, cut or break, with intent to steal, any glass or wood-work, whatsoever, or any lead, iron, copper, brass, or other metal, or any utensil or fixture, whether made of metal, or other material, whatsoever, or any thing made of metal, being private property, or for a fence to any dwelling-house, garden, or area, or in any square, street, or other place dedicated to public use or ornament, every such offender shall be guilty of Felony, and being convicted thereof, shall be liable to be punished in the same manner as in the case of Simple Larceny, and, in case of any such thing

Not necessary to

fixed in any square, street, or other like place, it shall not be necessary to allege the same to be the property of any person.

And for the punishment of depredations committed by Clerks and Servants, in cases not punishable capitally, Be it enacted, by the Authority aforesaid, That if any Clerk, or Servant, shall steal any chattel, money, or valuable security, belonging to, or in the possession or power of, his master, every such offender, being convicted thereof, shall be liable, at the discretion of the Court, to be transported beyond the Seas for any term not exceeding fourteen years, nor less than seven years, or to be imprisoned for any term, not exceeding three years, and, if a male, to be once, twice, or thrice, publicly or privately whipped (if the Court shall so think fit), in addition to such imprisonment.

And be it enacted, by the Authority aforesaid, That if any person shall steal any tally, order, or other valuable security, whatsoever, entitling or evidencing the title of any person, or body corporate, to any share or interest in any public stock or fund, whether of this Colony or of England, or of Great Britain, or of Ireland, or of any Foreign State, or of any fund of any body corporate, company, or society, or to any deposit in any saving bank, or shall steal any debenture, deed, bond, bill, note, warrant, or other security whatsoever, for money, or for payment of money, whether of this Colony, or any other place, or shall steal any warrant or order for the delivery of any goods, or valuable things, every such offender shall be deemed guilty of Felony, of the same nature, and in the same degree, and punishable in the same manner, as if he or she had stolen any chattel of like value with the share, interest, and deposit, to which the security, so stolen, may relate, or with the money due on the security so stolen, or secured thereby, and remaining unsatisfied, or with the value of the goods, or other valuable things mentioned in the warrant or order, and each of the several documents hereinbefore enumerated shall, throughout this Act, be deemed, for every purpose, to be included under, and be denoted by the words, "Valuable Security."

And for the punishment of depredations committed by tenants and lodgers, Be it enacted, That if any person shall steal or remove any chattel or fixture, let to be used by him or her, in or with any house and lodging, whether the contract be entered into by him or her, or by her husband, or by any person on behalf of him or her, as her husband, every such offender shall be deemed guilty of Felony, and being convicted thereof, shall be liable to be punished in the same manner as in the case of Simple Larceny; and in every such case of stealing any chattel, it shall be lawful to prefer an Indictment in the common form as Larceny, and in every such case of stealing any fixture, to prefer an Indictment in the same form as if the offender were not a tenant or lodger, and in either case to lay the property in the owner or person letting to hire.

And for the punishment of embezzlements committed by Clerks and Servants, Be it declared and enacted, by the Authority aforesaid, That if any Clerk or Servant, or any person employed for the purpose, or in the capacity of a Clerk or Servant, shall, by virtue of such employment, receive, or take into his possession, any chattel, money, or valuable security, for, or in the name, or on the account of, his master, and shall fraudulently embezzle the same, or any part thereof, every such offender shall be deemed to have feloniously stolen the same from his master, although such chattel, money, or security, was not received into the possession of such master, otherwise than by the actual possession of his Clerk, Servant, or other person so employed, and every such offender, being convicted thereof, shall be liable, at the discretion of the Court, to any of the punishments which the Court may award, as hereinbefore last-mentioned.

And for preventing the difficulties that have been experienced in the prosecution of the last-mentioned offenders, Be it enacted, by the Authority aforesaid, That it shall be lawful to charge in the Indictment and proceed

allege the same to be property of any person.

Clause XLVII.

Clerk or servant stealing any chattel, money, or valuable security from his master, in what manner punishable.

Clause XLVIII.

Stealing any tally, order, or valuable security of any person or body corporate, evidencing title or interest in stock, &c., or warrant for delivery of goods, declared to be Felony,

And punishable as if the article stolen had been of the like value with the actual interest, share, or deposit it represented.

Clause XLIX.

Stealing or removing any chattel or fixture in lodgings, by lodgers, whether such be taken by husband or wife, may be indicted as a Felony in the common form, for Larceny, and punishable accordingly.

Clause L.

Punishment for embezzlement, by clerks and servants.

Clause LI.

Manner of proceeding by Indictment for embezzlement,

and regulations concerning.

against the offender for any number of distinct acts of embezzlement, not exceeding three, which may have been committed by him against the same master, within the space of six calendar months, from the first to the last of such acts, and in every such Indictment, except where the offence shall relate to any chattel, it shall be sufficient to allege the embezzlement to be of money, without specifying any particular coin, or valuable security, and such allegation, so far as regards the description of the property, shall be sustained, if the offender shall be proved to have embezzled any amount, although the particular species of coin or valuable security, of which such amount was composed, shall not be proved, or if he shall be proved to have embezzled any piece of coin, or valuable security, or any portion of the value thereof, although such piece of coin, or valuable security, may have been delivered to him in order that some part of the value thereof should be returned to the party delivering the same, and such part shall have been returned accordingly.

Clause LII.
Punishment of Agents, Merchants, Attorneys, &c., for embezzlement of property entrusted to any of them.

And for the punishment of embezzlements committed by agents entrusted with property, Be it enacted, by the Authority aforesaid, That if any money, or security for the payment of any money, shall be entrusted to any merchant, attorney, or other agent, with any direction, in writing, to apply such money, or any part thereof, or the proceeds, or any part of the proceeds, of such security, for any purpose specified in such direction, and he shall, in violation of good faith, and contrary to the purpose so specified, in any wise, convert to his own use, or benefit, such money, security, or proceeds, or any part thereof, respectively, every such offender shall be guilty of a Misdemeanor, and being convicted thereof, shall be liable, at the discretion of the Court, to be transported beyond the seas, for any term not exceeding fourteen years, nor less than seven years, or to suffer such other punishment, by fine or imprisonment, or both, as the Court shall award, and if any chattel, or valuable security, shall be entrusted to any Merchant, Attorney, or other agent, for safe custody, or for any special purpose, without any authority to sell, negotiate, transfer, or pledge, and he shall, in violation of good faith, and contrary to the object or purpose for which such chattel or security, shall have been entrusted to him, sell, negotiate, transfer, pledge, or in any manner convert to his own use or benefit, such chattel, or security, or the proceeds of the same, or any part thereof, every such offender shall be guilty of a Misdemeanor, and being convicted thereof, shall be liable, at the discretion of the Court, to any of the punishments which the Court may award, as hereinbefore last-mentioned.

Clause LIII.
Nothing contained in the foregoing clause to affect Trustees or Mortgagees in respect to their trust or mortgage; nor Merchants, Attorneys, or other Agents, in cases herein mentioned.

Provided always, and be it enacted, by the Authority aforesaid, That nothing hereinbefore contained relating to Agents shall affect any Trustee, in or under any instrument whatever, or any Mortgagee of any property, real or personal, in respect to any act done by such Trustee or Mortgagee, in relation to the property comprised in or affected by any such trust or mortgage, nor shall restrain any Merchant, Attorney, or other Agent, from receiving any money which shall be or become actually due, and payable upon or by virtue of any valuable security, according to the tenor and effect thereof, in such manner as he might have done if this Act had not been passed, nor from selling, transferring, or otherwise disposing of any securities or effects, in his possession, upon which he shall have any lien, claim, or demand, entitling him, by Law, so to do, unless such sale, transfer, or other disposal, shall extend to a greater number or part of such securities or effects, than shall be requisite, for satisfying such lien, claim, or demand.

Clause LIV.
Factors or Agents entrusted with, and pledging goods, certificates, warrants, or other security for property, for

And be it enacted, by the Authority aforesaid, That if any Factor or Agent, entrusted for the purpose of sale, with any goods or merchandize, or entrusted with any bill of lading, ware-house keeper's, or wharfinger's certificate, or warrant, or order for delivery of goods or merchandize, shall, for his own benefit, and in violation of good faith, deposit and pledge any

such goods or merchandize, or any of the said documents, as a security for their own benefit, any money, or negotiable instrument, borrowed or received by such Factor guilty of Misdemeanor, and liable or Agent at or before the time of making such deposit or pledge, or intended to be thereafter borrowed or received, every such offender shall be to be transported, at the discretion of the Court, or to be imprisoned: provided the same shall exceed in amount of value, any sum of money due to such Factor or Agent by his principal.

guilty of a Misdemeanor, and being convicted thereof, shall be liable, at the discretion of the Court, to be transported beyond the seas for any term not exceeding fourteen years, nor less than seven years, or to suffer such other punishment, by fine or imprisonment, or by both, as the Court shall award; but no such Factor or Agent shall be liable to any prosecution for depositing, or pledging, any such goods, or merchandize, or any of the said documents, in case the same shall not be made a security for or subject to the payment of, any greater sum of money than the amount which, at the time of such deposit or pledge was justly due and owing to such Factor or Agent, from his principal, together with the amount of any bill, or bills of exchange, drawn by, or on account of, such principal, and accepted by such Factor or Agent.

Provided always, and be it enacted, by the Authority aforesaid, That nothing in this Act contained, nor any proceeding, conviction, or judgment, to be had, or taken thereupon, against any Merchant, Factor, Attorney, or other Agent, as aforesaid, shall prevent, lessen, or impeach, any remedy at Law, or in Equity, which any party aggrieved by any such offence might or would have had if this Act had not been passed; but, nevertheless, the conviction of any such offender shall not be received, in evidence, in any action at Law, or suit in Equity, against him, and no Merchant, Factor, Attorney, or other Agent, as aforesaid, shall be liable to be convicted by any evidence whatever as an offender against this Act, in respect of any act done by him, if he shall, at any time previously to his being indicted for such offence, have disclosed such act on oath, in consequence of any compulsory process of any Court of Law or Equity, in any action, suit, or proceeding, which shall have been, *bona fide*, instituted by any party aggrieved.

Clause LV.

No proceedings, conviction, or judgment, against any Factor, Agent, &c., as before mentioned, to lessen or impeach any remedy, at Law or in Equity, which party aggrieved by such offence would have had, if this Act had not passed, but conviction of offence not to be received in evidence; Nor any conviction take place if offender shall, previously to being indicted, disclose such action or suit, &c.

And whereas, a failure of Justice frequently arises from the subtle distinction between Larceny and Fraud, for remedy thereof, Be it enacted, by the Authority aforesaid, That if any person shall, by any false pretence, obtain from any other person any chattel, money, or valuable security, with intent to cheat or defraud any person of the same, every such offender shall be guilty of a misdemeanor, and being convicted thereof, shall be liable, at the discretion of the Court, to be transported beyond the seas for the term of seven years, or to suffer such other punishment by fine or imprisonment, or by both, as the Court shall award; Provided always, That if upon the trial of any person indicted for such misdemeanor, it shall be proved that he obtained the property in question in any such manner as to amount in Law to Larceny, he shall not, by reason thereof, be entitled to be acquitted of such misdemeanor, and no such Indictment shall be removable by Certiorari: and no person tried for such misdemeanor shall be liable to be afterwards prosecuted for Larceny upon the same facts.

Clause LVI.

Persons, by false pretences, obtaining from others, chattel, money, or valuable security, with intent to cheat or defraud, guilty of Misdemeanor. Punishment for the same.

If, upon trial, the offence shall prove to be Larceny, prisoner not to be entitled to acquittal, nor liable to be afterwards tried for Larceny upon the same facts.

And with regard to receivers of stolen property, Be it enacted, by the Authority aforesaid, That if any person shall receive any chattel, money, valuable security, or other property whatsoever, the stealing or taking whereof, shall amount to a Felony, either at Common Law, or by virtue of this Act, such person, knowing the same to have been feloniously stolen or taken, every such receiver shall be guilty of Felony, and may be indicted and convicted, either as an accessory after the fact, or for a substantive Felony, and in the latter case, whether the principal felon, shall or shall not have been previously convicted, or shall or shall not be amenable to Justice, and every such receiver, howsoever convicted, shall be liable, at the discretion of the Court, to be transported beyond the seas, for any term not exceeding fourteen years, nor less than seven years, or to be imprisoned for any term not exceeding three years, and, if a male, to be once, twice, or thrice, pub-

Clause LVII.

Receivers of stolen property, knowing the same to have been feloniously stolen, guilty of Felony, and may be indicted either as accessory after the fact, or for a substantive Felony.

Punishment therefor.

ly or privately whipped (if the Court shall so think fit), in addition to such imprisonment: Provided always, that no person howsoever tried for receiving, as aforesaid, shall be liable to be prosecuted a second time for the same offence.

Clause LVIII.
Punishment for receiving any chattel, money, or valuable security, the taking, obtaining, or converting whereof is a Misdemeanor by this Act, and knowing the same to have been so taken, &c.

And be it enacted, by the Authority aforesaid, That if any person shall receive any chattel, money, valuable security, or other property whatsoever, the stealing, taking, obtaining, or converting whereof is made an indictable Misdemeanor by this Act, such person, knowing the same to have been unlawfully stolen, taken, obtained, or converted, every such offender shall be guilty of a Misdemeanor, and may be indicted and convicted thereof, whether the person guilty of the principal Misdemeanor shall or shall not have been previously convicted thereof, or shall or shall not be amenable to Justice, and every such receiver shall, on conviction, be liable, at the discretion of the Court, to be transported beyond the seas for the term of seven years, or to be imprisoned for any term not exceeding two years, and, if a male, to be once, twice, or thrice, publicly or privately whipped (if the Court shall so think fit), in addition to such imprisonment.

Clause LIX.
Cases in which property stolen, taken, converted, &c., is to be restored to the owner, and in which the Court, before whom any trial for the same may be had, shall award writs of restitution, or order the same in a summary manner.

And to encourage the prosecution of offenders, Be it enacted, by the authority aforesaid, That if any person guilty of any such felony or misdemeanor as aforesaid, in stealing, taking, obtaining, or converting, or in knowingly receiving any chattel, money, valuable security, or other property whatsoever, shall be indicted for any such offence by or on the behalf of the owner of such property, or his executor, or administrator, or in any other right or character whatsoever, and convicted thereof, in such case the property shall be restored to the owner or his representative; and the Court before whom any such person shall be so convicted, shall have power to award, from time to time, writs of restitution for the said property, or to order the restitution thereof in a summary manner; Provided always, That if it shall appear before any award or order made, that any valuable security shall have been bona fide paid or discharged by some person liable to the payment thereof, or being a negotiable instrument, shall have been bona fide taken or received by transfer or delivery by some person, for a just and valuable consideration, without any notice, or without any reasonable cause to suspect that the same had, by any felony or misdemeanor, been stolen, taken, obtained, or converted, as aforesaid, in such case the Court shall not award or order the restitution of such security.

Proviso.

Clause LX.
Felony to corruptly take any money or reward for pretending to or helping any person to property stolen from him, unless the party cause the offender to be apprehended and brought to trial for the robbery or theft, &c.

And be it enacted by the authority aforesaid, That every person who shall corruptly take any money or reward, directly or indirectly, under pretence, or upon account of helping any person to any chattel, money, valuable security, or other property, whatsoever, which shall by any felony or misdemeanor, have been stolen, taken, obtained, or converted, as aforesaid, shall (unless he cause the offender to be apprehended and brought to trial far the same), be guilty of felony, and, being convicted thereof, shall be liable, at the discretion of the Court, to be transported beyond the seas for life, or for any term not less than seven years, or to be imprisoned for any term not exceeding four years, and, if a male, to be once, twice, or thrice, publicly or privately whipped (if the Court shall so think fit), in addition to such imprisonment.

Punishment for the offence.

Clause LXI.
Publicly advertising a reward for recovery of stolen property, and using words purporting that no questions will be asked, &c., &c., and persons printing and publishing such advertisement, subject to a forfeiture of £50, to person suing for the same.

And be it enacted, by the authority aforesaid, That if any person shall publicly advertise a reward for the return of any property whatsoever, which shall have been stolen or lost, and shall, in such advertisement, use any words purporting that no question will be asked, or shall make use of any words, in any public advertisement, purporting that a reward will be given or paid for any property which shall have been stolen or lost, without seizing or making enquiry after the person producing such property, or shall promise or offer, in any such public advertisement, to return to any person who may have bought or advanced money by way of loan, upon any property stolen or lost, the money so paid or advanced, or any other sum of money or reward for the return of such property, or if any person shall

print or publish any such advertisement, in any of the above cases, every such person shall forfeit the sum of Fifty Pounds current money, for every such offence, to any person who will sue for the same, by any action of debt to be recovered with full costs of suit.

And be it enacted, by the authority aforesaid, That where the stealing or taking of any property whatsoever, is, by this Act, punishable on summary conviction, either for every offence, or for the first and second offence only, or for the first offence only, any person who shall receive any such property, knowing the same to be unlawfully come by, shall, on conviction thereof before a Justice of the Peace, be liable, for every first, second, or subsequent offence, of receiving, to the same forfeiture and punishment to which a person guilty, of a first, second, or subsequent offence of stealing or taking such property, is, by this Act, made liable.

Clause LXII.
Persons receiving stolen goods, liable, upon a first, second, or subsequent offence, to same punishment as in like instances persons stealing such property are subject to.

And for the more effectual prosecution of accessories before the fact to felony, Be it enacted, by the authority aforesaid, That if any person shall counsel, procure, or command any other person to commit any felony, whether the same be a felony at Common Law, or by virtue of any Statute or Statutes made or to be made, the person so counselling, procuring, or commanding, shall be deemed guilty of felony, and may be indicted and convicted, either as an accessory before the fact to the principal felony, together with the principal felon, or after the conviction of the principal felon, or may be indicted and convicted of a substantive felony, whether the principal felon shall or shall not have been previously convicted, or shall or shall not be amenable to justice, and may be punished in the same manner as an accessory before the fact to the same felony, if convicted as an accessory, may be punished; Provided always, That no person who shall be once duly tried for any such offence, whether as an accessory before the fact, or as for a substantive felony, shall be liable to be again indicted or tried for the same offence.

Clause LXIII.
Of accessories before the fact, and prosecution thereof.
Vide Act, No. 181, Clauses 6 and 7.

And for the more effectual prosecution of accessories after the fact to felony, Be it enacted, by the authority aforesaid, That if any person shall become an accessory after the fact to any felony, whether the same be a felony at Common Law, or by virtue of any Statute or Statutes made or to be made, the offence of such person may be enquired of, tried, determined and punished by any Court which shall have jurisdiction to try the principal felon, in the same manner as if the act by reason whereof such person shall have become an accessory, had been committed at the same place as the principal felony; Provided always that no person who shall be once duly tried for any offence of being an accessory, shall be liable to be again indicted or tried for the same offence.

Clause LXIV.
Of accessories after the fact, and prosecution of the same.

And in order that all accessories may be convicted and punished in cases where the principal felon is not attainted, Be it enacted, by the authority aforesaid, That if any principal offender shall be in anywise convicted of any felony, it shall be lawful to proceed against an accessory either before or after the fact, in the same manner as if such principal felon had been attainted thereof, notwithstanding such principal felon shall die or be pardoned, or otherwise delivered before attainder, and every such accessory shall suffer the same punishment, if he or she be in anywise convicted, as he or she should have suffered if the principal had been attainted.

Clause LXV.
Of prosecution and punishment of accessories, where the principal offender be not attainted.
Vide Act, No. 181, Clause 7.

And be it enacted, by the authority aforesaid, That in the case of every felony, punishable under this Act, every principal, in the second degree, and every accessory before the fact, shall be punishable with death, or otherwise, in the same manner as the principal in the first degree is by this Act punishable; and every accessory after the fact to any felony, punishable under this Act, except receivers of stolen property, shall, on conviction, be liable to be imprisoned for any term not exceeding two years; and every person who shall aid, abet, counsel, or procure the commission of any misdemeanour punishable under this Act, shall be liable to be indicted and punished as a principal offender.

Clause LXVI.
Every accessory before the fact, and every principal in the second degree, to be punished in same manner as principal in the first degree.
Accessories after the fact, except receivers of stolen goods, and persons aiding, abetting, &c., punishment of.

Clause LXVII.

Persons aiding, abetting, or counselling the commission of offences punishable on summary conviction, for first or subsequent times before a Justice of the Peace, liable to same punishment on each occasion as the principal

And be it enacted, by the authority aforesaid, That if any person shall aid, abet, counsel, or procure the commission of any offence, which is by this Act punishable on summary conviction, either for every time of its commission, or for the first and second time only, or for the first time only, every such person shall, on conviction before a Justice of the Peace, be liable for every first, second, or subsequent offence of aiding, abetting, counselling, or procuring, to the same forfeiture and punishment to which a person guilty of a first, second, or subsequent offence as a principal offender is by this Act made liable.

offender is made subject to, by this Act.

Clause LXVIII.

Setting fire to any Church or Chapel, House, Stable, Shop, &c., unlawfully and maliciously, whether the same belong to the offender himself or not, punishable with death. Vide Act, No. 170.

And be it enacted, by the Authority aforesaid, That if any person shall unlawfully and maliciously set fire to any Church or Chapel, or to any Chapel, for the religious worship of persons dissenting from the United Church of England and Ireland, or shall unlawfully or maliciously set fire to any House, Stable, Coach-house, Out-house, Ware-house, Office, Shop, Mill, or to any building or erection used in carrying on any trade or manufacture, or any branch thereof, whether the same, or any of them, respectively, shall then be in the possession of the offender, or in the possession of any other person, with intent thereby to injure or defraud any person, every such offender shall be guilty of felony, and, being convicted thereof, shall suffer death as a felon.

Clause LXIX.

Maliciously destroying or damaging any machine or engine, fixed or moveable, employed in any manufacture,—

And be it enacted, by the authority aforesaid, That if any person shall unlawfully and maliciously cut, break, and destroy, or damage, with intent to destroy or to render useless any machine or engine, whether fixed or moveable, prepared for, or employed in, any manufacture whatsoever, every such offender shall be guilty of felony, and being convicted thereof, shall be liable, at the discretion of the Court, to be transported beyond the seas for the term of seven years, or to be imprisoned for any term not exceeding two years, and, if a male, to be once, twice, or thrice, publicly or privately whipped (if the Court shall so think fit) in addition to such imprisonment.

Punishment for.**Clause LXX.**

Riotously and tumultuously pulling down, or beginning to pull down or demolish any Church, Chapel, &c.; or any house, stable, ware-house, &c., &c., declared felony, and punishable with death. Vide Act, No. 168, Clause 2.

And be it enacted, by the authority aforesaid, That if any persons riotously and tumultuously assembled together, to the disturbance of the public peace, shall unlawfully, and with force, demolish, pull down, or destroy, or begin to demolish, pull down or destroy any Church or Chapel, or any Chapel, for the religious worship of persons dissenting from the United Church of England and Ireland, or any House, Stable, Coach-house, Out-house, Ware-house, Office, Shop, Mill, or any building, or erection used in carrying on any trade or manufacture, or any branch thereof, or any machinery, whether fixed or moveable, prepared for, or employed in any manufacture, or in any branch thereof, or any steam engine, or other engine, every such offender shall be guilty of felony, and, on being convicted thereof, shall suffer death as a felon.

Clause LXXI.

Maliciously setting fire to any ship or vessel, whether the same be complete or not, or of any goods on board, with intent to prejudice underwriters on insurance, &c.

And be it enacted by the authority aforesaid, That if any person shall unlawfully and maliciously set fire to, or in any wise destroy, any Ship or Vessel, whether the same be complete, or in an unfinished state, or shall unlawfully and maliciously set fire to, cast away, or in any wise destroy any Ship or Vessel, with intent thereby to prejudice any owner or part owner of such Ship or Vessel, or of any goods on board the same, or any person that hath underwritten, or shall underwrite any policy of Insurance upon such Ship or Vessel, or on the freight thereof, or upon any goods on board the same, every such offender shall be guilty of felony, and being convicted thereof, shall suffer death as a felon.

Punishment for the same, death. Vide Act, No. 170.

Clause LXXII.

Maliciously damaging any vessel, otherwise than by fire—

And be it enacted, by the authority aforesaid, That if any person shall unlawfully and maliciously damage, otherwise than by fire, any ship or vessel, whether complete, or in an unfinished state, with intent to destroy the same, or to render the same useless, every such offender shall be guilty of Felony, and being convicted thereof, shall be liable, at the discretion of the Court, to be transported beyond the seas for the term of seven years, or to be imprisoned for any term not exceeding two years, and, if a male, to

Punishment for.

be once, twice, or thrice publicly or privately whipped (if the Court shall so think fit) in addition to such imprisonment.

And be it enacted, by the authority aforesaid, That if any person shall exhibit any false light or signal, with intent to bring any ship or vessel into danger, or shall unlawfully and maliciously do any thing tending to the immediate loss or destruction of any ship or vessel in distress, or destroy any part of any ship or vessel which shall be in distress, or wrecked, stranded, or cast ashore, or any goods, merchandize, or articles of any kind belonging to such ship or vessel, or shall, by force, prevent or impede any person endeavouring to save his life from such ship or vessel, whether he shall be on board, or shall have quitted the same, every such offender shall be guilty of felony, and, being convicted thereof, shall suffer death as a felon.

Clause LXXIII.
Repealed, and other provisions substituted, by Act, No. 170.

And be it enacted, by the authority aforesaid, That if any person shall unlawfully and maliciously pull down, or in anywise destroy any public bridge, or do any injury with intent, and so as thereby to render such bridge, or any part thereof, dangerous or impassable, every such offender shall be guilty of felony, and, being convicted thereof, shall be liable, at the discretion of the Court, to be transported beyond the seas for life, or for any term not less than seven years, or to be imprisoned for any term not exceeding four years, and, if a male, to be once, twice, or thrice publicly or privately whipped (if the Court shall so think fit) in addition to such imprisonment.

Clause LXXIV.
Pulling down and maliciously destroying any public bridge, declared Felony.

Punishment for.

And be it enacted, by the authority aforesaid, That if any person shall unlawfully and maliciously kill, maim, or wound any cattle, horse, mare, gelding, colt, filly, ass, or mule, or any bull, cow, ox, heifer, or calf, or any ram, ewe, sheep, or lamb, every such offender shall be guilty of felony, and, being convicted thereof, shall be liable, at the discretion of the Court, to be transported beyond the seas for life, or for any term not less than seven years, or to be imprisoned for any term not exceeding four years, and, if a male, to be once, twice, or thrice publicly or privately whipped (if the Court shall so think fit) in addition to such imprisonment.

Clause LXXV.
Killing or maiming cattle, horse, sheep, &c.

Punishment for.

And be it enacted, by the authority aforesaid, That if any person shall wilfully or maliciously commit any damage or injury to or upon any real or personal property whatsoever, either of a public or private nature, for which no remedy or punishment is hereinbefore provided, every such person being convicted thereof before a Justice of the Peace, shall forfeit and pay such sum of money as shall appear to the Justice to be a reasonable compensation for the damage, injury, or spoil so committed, not exceeding the sum of ten Pounds current money, which sum of money shall in the case of private property, be paid to the party aggrieved, except where such party shall have been examined in proof of the offence, and in such case, or in the case of property of a public nature, or wherein any public right is concerned, the money shall be applied in such manner as every penalty imposed by a Justice of the Peace under this Act is hereinafter directed to be applied, and if such sum of money, together with costs (if ordered) shall not be paid immediately after the conviction, or within such period as the Justice shall at the time of the conviction appoint, the Justice may commit the offender to the common gaol or cage, there to be imprisoned only, or to be imprisoned and kept to hard labour as the Justice shall think fit for any term not exceeding two calendar months, unless such sum and costs be sooner paid; Provided always, That nothing herein contained shall extend to any case where the party trespassing acted under a fair and reasonable supposition that he had a right to do the act complained of, nor to any trespass not being wilful and malicious, but that every such trespass shall be punishable in the same manner as before the passing of this Act.

Clause LXXVI.
Of wilful injuries done to property, whether real or personal, public or private, and punishment for the same.

In what manner the penalty is to be appropriated, and proceedings therein.

Proviso.
As to intent and belief of party offending.

And be it enacted by the authority aforesaid, That every punishment and forfeiture by this Act imposed on any person maliciously committing any injury to property, whether the same be punishable upon indictment

Clause LXXVII.
Punishment for injuries to property to equally apply, when

ther the offence be committed from malice or otherwise, against the owner.

Clause LXXVIII. Provisions with regard to the place and mode of imprisonment for offences, incurring that punishment under this Act.

or upon summary conviction, shall equally apply and be enforced, whether the offence shall be committed from malice conceived against the owner of the property in respect of which it shall be committed or otherwise.

And with regard to the place and mode of imprisonment for all offences punishable under this Act, Be it enacted, by the authority aforesaid, That where any person shall be convicted of any offence punishable under this Act, for which imprisonment may be awarded, it shall be lawful for the Court to sentence the offender to be imprisoned, or to be imprisoned and kept to hard labour, and also to direct that the offender shall be kept in solitary confinement for the whole or any portion or portions of such imprisonment, or of such imprisonment with hard labour, as to the court in its discretion shall seem meet.

Clause LXXIX. Provisions with respect to the more effectual apprehension and discovery of offenders under this Act.

And for the more effectual apprehension and discovery of all offenders punishable under this Act, Be it enacted, by the authority aforesaid, That any person found committing any offence punishable either upon indictment, or upon summary conviction, by virtue of this Act, may be immediately apprehended, without a warrant, by any Peace Officer, or by the owner of the property, on or with respect to which the offence shall be committed, or by his servant, or any person authorized by him, and forthwith taken before some neighbouring Justice of the Peace to be dealt with according to Law, and if any credible witness shall prove upon oath before a Justice of the Peace, a reasonable cause to suspect that any person has in his possession or on his premises any property whatsoever, on or with respect to which any such offence shall have been committed, the Justice may grant a warrant to search for such property as in the case of stolen goods; and any person to whom any property shall be offered to be sold, pawned, or delivered, if he shall have reasonable cause to suspect that any such offence has been committed on or with respect to such property, is hereby authorized, and, if in his power, is required to apprehend, and forthwith to carry before a Justice of the Peace the party offering the same, together with such property, to be dealt with according to Law.

Clause LXXX.

Prosecution for any offence punishable upon summary conviction, to be commenced within three months from the commission of the offence.

And be it enacted, by the authority aforesaid, That the prosecution for any offence punishable on summary conviction under this Act shall be commenced within three calendar months after the commission of the offence, and not otherwise, and the evidence of the party aggrieved shall be admitted in proof of the offence.

Clause LXXXI.

Provisions for the more effectual prosecution of offences punishable under this Act, upon summary conviction.

And for the more effectual prosecution of all offences punishable on summary conviction under this Act, Be it enacted, by the authority aforesaid, That where any person shall be charged on the oath of a credible witness before any Justice of the Peace with any such offence, the Justice may summon the person charged to appear at a time and place to be named in such summons; and if he shall not appear accordingly (then upon proof of the due service of the summons upon such person upon delivering the same to him personally, or by leaving the same at his usual place of abode) the Justice may either proceed to hear and determine the case ex parte or issue his warrant for apprehending such person, and bringing him before himself, or some other Justice of the Peace, or the Justice before whom the charge shall be made may (if he shall so think fit) without any previous summons (unless where otherwise specially directed) issue such warrant; and the Justice before whom the person charged shall appear or be brought, shall proceed to hear and determine the case.

Clause LXXXII. Provisions with regard to the application of all forfeitures and penalties upon summary conviction, under this Act.

And with regard to the application of all forfeitures and penalties upon summary convictions under this Act, Be it enacted, by the authority aforesaid, That every sum of money which shall be forfeited for the value of any property stolen or taken, or for the amount of any injury done (such value or amount to be assessed in each case by the convicting Justice), shall be paid to the party aggrieved, if known, except where such party shall have been examined in proof of the offence, and in that case, or where the party

aggrieved is unknown, such sum shall be applied in the same manner as a penalty; and every sum which shall be imposed as a penalty by any Justice of the Peace, whether in addition to such value or amount, or otherwise, shall be paid to the Treasurer, or his lawful deputy for the public use: Provided always, That where several persons shall join in the commission of the same offence, and shall, upon conviction thereof, each be adjudged to forfeit a sum equivalent to the value of the property, or to the amount of the injury, in every such case no further sum shall be paid to the party aggrieved than that which shall be forfeited by one of such offenders only; and the corresponding sum or sums forfeited by the other offender or offenders, shall be applied in the same manner as any penalty imposed by a Justice of the Peace is hereinbefore directed to be applied.

And be it enacted by the authority aforesaid, That in every case of a summary conviction under this Act, where the sum which shall be forfeited for the value of the property stolen or taken, or for the amount of the injury done, or which shall be imposed as a penalty by the Justice, shall not be paid either immediately after the conviction or within such period as the Justice shall at the time of the conviction appoint, it shall be lawful for the convicting Justice (unless where otherwise specially directed) to commit the offender to the common gaol or cage, there to be imprisoned only, or to be imprisoned and kept to hard labour according to the discretion of the Justice, for any term not exceeding two calendar months, where the amount of the sum forfeited, or of the penalty imposed, or of both (as the case may be) together with the costs, shall not exceed ten Pounds current money; and for any term not exceeding four calendar months, where the amount, with costs, shall not exceed twenty Pounds current money; and for any term not exceeding six calendar months in any other case; the commitment to be determinable in each of the cases aforesaid upon payment of the amount and costs.

Clause LXXXIII.
When the penalty imposed, or sum which shall be forfeited upon summary conviction, shall not be paid immediately, offender may be sentenced to imprisonment and to hard labour.

Provided always, and be it enacted by the Authority aforesaid, That where any person shall be summarily convicted before a Justice of the Peace of any offence against this Act, and it shall be a first conviction, it shall be lawful for the Justice, if he shall so think fit, to discharge the offender from his conviction upon his making such satisfaction to the party aggrieved for damages and costs, or either of them, as shall be ascertained by the Justice.

Clause LXXXIV.
Further provisions in respect to a first conviction.

And be it enacted, by the Authority aforesaid, That in case any person convicted of any offence punishable upon summary conviction by virtue of this Act, shall have paid the sum adjudged to be paid, together with costs under such conviction, or shall have received a remission thereof from the Crown, or shall have suffered the imprisonment awarded for non-payment thereof, or the imprisonment adjudged in the first instance, or shall have been discharged from his conviction in the manner aforesaid, in every such case he shall be released from all further or other proceedings for the same offence.

Clause LXXXV.
Party having paid penalty and costs, &c., &c., upon summary conviction, to be released from all further proceedings in the same cause.

And be it enacted, by the Authority aforesaid, That the Justice before whom any person shall be convicted of any offence against this Act, may cause the conviction to be drawn up in the following form of words, or in any other form of words to the same effect, as the case shall require, to wit:—

Clause LXXXVI.
Form of conviction by Justice of Peace in any offence against this Act.

“Be it remembered, That on the ——— day of ——— in the year of our Lord ——— at ——— in the Island of Grenada, A. O. is convicted before me, J. P., one of His Majesty's Justices of the Peace for the said Island, for that he, the said A. O., did (specify the offence and the time and place when and where the same was committed, as the case may be, and on a second conviction state the first conviction), and I, the said J. P., adjudge the said A. O. for his said offence, to be imprisoned in the ——— (or to be imprisoned in the ——— and there kept to hard labour) for the space of ——— (or I adjudge the said A. O., for his offence

"to forfeit and pay, here state the penalty actually imposed, or state the penalty, and also the value of the articles stolen, or the amount of the injury done, as the case may be) and also to pay the sum of ——— for costs, and in default of immediate payment of the said sums, to be imprisoned in the ——— (or to be imprisoned in the ——— and there kept to hard labour) for the space of ——— unless the said sums shall be sooner paid (or, and I order that the said sums shall be paid by the said A. O. on or before the day of ———), and I direct that the said sum of ——— (i. e. the penalty only) shall be paid to the Treasurer, or his lawful deputy, for the public use (or that the said sum of ——— (i. e. the penalty) shall be paid to (as before), and that the said sum of ——— (i. e. the value of the articles stolen, or the amount of the injury done) shall be paid to C. D. (the party aggrieved, unless he is unknown, or has been examined in proof of the offence, in which case state the fact, and dispose of the whole like the penalty as before), and I order that the said sum of ——— for costs, shall be paid to ——— (the complainant.) Given under my hand and seal the day and year first above mentioned."

Clause LXXXVII.
Persons aggrieved upon summary conviction before one Justice may appeal to the next session of the Supreme Court.
Vide Act, No. 180, Clause 7.

Notice to be given of such appeal.¹

And other provisions respecting.

Proceedings to take place upon dismissal of appeal.

Clause LXXXVIII.
Conviction or adjudication on appeal not to be quashed for want of form, or removed by certiorari into any superior court.
Nor commitment held void by reason of any defect therein.

Clause LXXXIX.
Justice of the Peace to transmit conviction to the Clerk of the Crown six days before the next session of the Supreme Court, copy of which shall be sufficient evidence of conviction upon trial for a subsequent offence.

Clause XC.
Actions and prose-

And be it enacted, by the Authority aforesaid, That in all cases where the sum adjudged to be paid on any summary conviction shall exceed five pounds, or the imprisonment adjudged shall exceed one calendar month, or the conviction shall take place before one Justice only, any person who shall think himself aggrieved by any such conviction, may appeal to the next session of the Supreme Court, which shall be holden not less than twelve days after the day of such conviction, for the said Island; Provided, that such person shall give to the complainant a notice in writing of such appeal, and of the cause and matter thereof, within three days after such conviction, and seven clear days at the least before such session, and shall also either remain in custody until the session, or enter into a recognizance, with two sufficient sureties, before a Justice of the Peace, conditioned, personally to appear at the said session, and to try such appeal, and to abide the judgment of the Court thereupon, and to pay such costs as shall be, by the Court, awarded; and upon such notice being given, and such recognizance being entered into, the Justice before whom the same shall be entered into, shall liberate such person, if in custody, and the Court at such session shall hear and determine the matter of the appeal, and shall make such order therein, with or without costs to either party as the Court shall seem meet; and in case of the dismissal of the appeal, or the affirmance of the conviction, shall order and adjudge the offender to be punished according to the conviction, and to pay such costs as shall be awarded, and shall, if necessary, issue process for enforcing such judgment.

And be it enacted, by the Authority aforesaid, That no such conviction or adjudication made on appeal therefrom shall be quashed for want of form, or be removed by Certiorari or otherwise into any of His Majesty's Superior Courts of Record, and no warrant of commitment shall be held void by reason of any defect therein, provided it be therein alleged that the party has been convicted, and there be a good and valid conviction to sustain the same.

And be it enacted, by the Authority aforesaid, That every Justice of the Peace before whom any person shall be convicted of any offence against this Act, shall transmit the conviction to the Clerk of the Crown six days before the next session of the Supreme Court which shall be holden, there to be kept by the proper Officer, among the Records of the Court; and upon any indictment or information against any person for a subsequent offence, a copy of such conviction, certified by the proper officer of the Court, or proved to be a true copy, shall be sufficient evidence to prove a conviction for the former offence, and the conviction shall be presumed to have been unappealed against, until the contrary be shewn.

And for the protection of persons acting in and under the execution of this Act, Be it enacted by the Authority aforesaid, That all actions and pro-

secutions to be commenced against any person for any thing done in pursuance of this Act, shall be commenced within six calendar months after the fact committed, and not otherwise, and notice in writing of such action, and of the cause thereof, shall be given to the defendant one calendar month at least before the commencement of the action, and in any such action the defendant may plead the General Issue, and give this Act, and the special matter, in evidence, at any trial to be had thereupon; and no plaintiff shall recover in any such action, if tender of sufficient amends shall have been made before such action brought, or if a sufficient sum of money shall have been paid into Court after such action brought, by or on behalf of the defendant; and if a verdict shall pass for the defendant, or the plaintiff shall become nonsuit, or discontinue any such action after issue joined, or if upon demurrer or otherwise judgment shall be given against the plaintiff, the defendant shall recover his full costs as between Attorney and Client, and have the like remedy for the same as any defendant hath by Law in other cases; and though a verdict shall be given for the plaintiff in any such action, such plaintiff shall not have costs against the defendant, unless the Judge before whom the trial shall be, shall certify his approbation of the action, and of the verdict obtained thereon.

utions for any thing done under this Act, to be commenced within six months after the fact committed;— In any such Action defendant may plead the general issue, &c., &c.

No. LXXX.

An Act to amend an Act, entitled “An Act to repeal an Act, entitled ‘An Act to assimilate the Criminal Code of the Island of Grenada and its Dependencies, as near as may be to the Criminal Code of England, relative to Offences against the person, and to substitute this Act in lieu thereof.’” [August 6, 1834.]

WHEREAS, it is expedient that an Act of these Islands, passed on the sixteenth day of December, in the year of our Lord, One Thousand Eight Hundred and Thirty-one, entitled “An Act to repeal an Act entitled an Act to assimilate the Criminal Code of the Island of Grenada, and its Dependencies, as near as may be to the Criminal Code of England, relative to offences against the person, and to substitute this Act in lieu thereof,” should be amended;

Preamble.

Be it, therefore, enacted, by the Lieutenant-Governor, Council and Assembly of these Islands, and it is hereby enacted, by the authority of the same, That where any person being feloniously stricken, poisoned, or otherwise hurt, upon the sea, or at any place out of the said Island of Grenada and the Dependencies thereof, shall die of such stroke, poisoning, or hurt within the said Island of Grenada or its Dependencies, or being feloniously stricken, poisoned, or otherwise hurt at any place within the said Island or the Dependencies thereof, shall die of such stroke, poisoning, or hurt upon the sea, or at any place out of the said Island and the Dependencies thereof, every offence committed in respect of any such case, whether the same shall amount to the offence of murder or of manslaughter, or of being accessory before the fact, to murder, or after the fact to murder or manslaughter, may be dealt with, enquired of, determined and punished in the Supreme Court of Judicature of this Island of Grenada, in all respects as if such offence had been wholly committed within the said Island of Grenada, or the Dependencies thereof.

Clause I.
Repealed by Act,
No. 85.

And be it further enacted, That an Act entitled, “An Act authorizing trials for murder, in cases where either the stroke, or death only happens within the Island of Grenada, or such of the Grenadines as are within the said Government, as also for allowing persons indicted for any capital offence, whereof the punishment, if convicted, would be death, to make their full defence by Counsel” is hereby repealed.

Clause II.
Act passed upon
20th of August, 1791,
repealed.

And be it enacted, by the Authority aforesaid, That in any case in which a

Clause III.

Repealed by Act,
No. 116, Clause 10.

Jury shall acquit any person of the Felony, against which the punishment of death is provided by the Tenth Clause of the said Act of Grenada, passed on the said sixteenth day of December, One Thousand Eight Hundred and Thirty-one, the title whereof is first hereinbefore recited, it shall be lawful for such Jury to find, under the same Indictment, the prisoner guilty of any one of the facts charged in such Indictment under the said Act, and upon such verdict, in order to prevent an entire escape from punishment, the person so convicted of a part of the matter charged in such Indictment, although acquitted of the Felony, may be punished for the minor offence as hereinafter is provided.

Clause IV.
Repealed by Act,
No. 116, Clause 10.

And be it enacted, by the Authority aforesaid, That if any person shall unlawfully and maliciously assault, beat, or otherwise ill-treat any person so as thereby to inflict any wound, or to fracture, or dislocate any bone, or inflict any other grievous bodily harm, although without any intention to kill, or without any of the intentions described in the said tenth Clause of the said Act, in the third Clause of this Act mentioned, every person being convicted of such offence by the verdict of a Jury, shall be punished with fine or imprisonment, with or without hard labour, and solitary confinement, during a term not exceeding twelve calendar months.

Clause V.
Two Justices of the Peace may hear and determine any complaint for common assault, and may inflict upon conviction any fine not exceeding £10 currency, which fine, with costs, if ordered, to be paid to the Public Treasurer; and upon non-payment, party convicted may be committed to common gaol for any term not exceeding three months, with or without solitary confinement.

And whereas it is expedient that a summary power of punishing persons for common assaults and batteries should be provided under the limitations hereinafter mentioned, Be it therefore enacted, by the Authority aforesaid, That where any person shall unlawfully assault or beat any other person, it shall be lawful for two Justices of the Peace, upon complaint of the party aggrieved, to hear and determine such offence, and the offender, upon conviction thereof before them, shall forfeit and pay such fine as shall appear to them to be meet, not exceeding ten Pounds current money, with costs (if ordered), which fine shall be paid to the Treasurer or his lawful Deputy, for the public use; and if such fine as shall be awarded by the said Justices, together with the costs (if ordered), shall not be paid either immediately after the conviction, or within such period as the said Justices shall at the time of the conviction appoint, it shall be lawful for them to commit the offender to the common Gaol, there to be imprisoned for any term not exceeding three calendar months, with or without solitary confinement, at the discretion of the said Justices, unless such fine and costs be sooner paid, but if the Justices upon the hearing of any such case of assault and battery shall deem the offence not to be proved, or shall find the assault or battery to have been justified, or so trifling as not to merit any punishment, and shall accordingly dismiss the complaint, they shall forthwith make out a certificate under their hands, stating the fact of such dismissal, and shall deliver such certificate to the party against whom the complaint was preferred, and the payment of such fine as aforesaid, or the imprisonment for non-payment thereof, or the certificate as aforesaid, shall be a release from all further or other proceedings, civil or criminal, for the same cause.

Justices dismissing the case as not proved, or as justified, or trifling, to give certificate thereof to defendant, which, or payment of the fine, or the imprisonment, shall bar all further or other proceeding in such case.

Clause VI.
Justices to abstain from adjudication in cases where the assault complained of is felonious, or otherwise, in their opinion, a fit subject for prosecution by Indictment.

Justice of Peace not to hear and determine any case, where questions as to title of property in lands, &c., shall arise.

Provided always, and be it enacted, by the Authority aforesaid, That in case the Justices shall find the assault or battery complained of to have been accompanied by any attempt to commit Felony, or shall be of opinion that the same is from any other circumstance a fit subject for a prosecution by Indictment, they shall abstain from any adjudication thereupon, and shall deal with the case in all respects in the same manner as they would have done before the passing of this Act; Provided also, that nothing herein contained shall authorize any Justice of the Peace to hear and determine any case of assault or battery in which any question shall arise as to the title of any lands, tenements, or hereditaments, or any interest therein or accruing therefrom, or any execution under the process of any Court of Justice.

Clause VII.
Persons upon trial for any offence in the Supreme Court of Judicature, allowed to employ Counsel at their

And whereas humanity towards prisoners requires that full defence by Counsel should be allowed to them in every serious case, Be it therefore enacted, by the Authority aforesaid, That all and every person or persons who shall be prosecuted in the Supreme Court of Judicature for any offence, shall be admitted to make his, her, or their defence by one or more Coun

sel, at the choice and expence of the Prisoner, and in all cases for which the punishment may be death or transportation in which the prisoner or prisoners shall upon oath declare that he, she, or they has or have not money wherewith to retain Counsel, the Court shall assign any Counsel chosen by the party or parties, or otherwise to be appointed by the Court, and the fees and expences necessarily incurred in the defence of such prosecution shall be chargeable to the Public of these Islands, and the several accounts thereof shall be rendered annually to the Committee of Public Accounts, and provided for and paid as other accounts against the Public; *Provided always, and be it enacted, by the authority aforesaid, That in cases of Felony, the evidence for the prosecution and defence shall be given, before the Counsel for either party shall address the Court and Jury, and that the Counsel for the defence may address the Court and Jury, although the prosecutor should not address either the Court or Jury, and the Counsel for the prosecution shall not be allowed to make any reply.*

And be it further enacted, by the Authority aforesaid, That any person who shall be accused before any Justices of the Peace, of any offence which may be heard, tried, determined, and punished by such Justices of the Peace, such person may be defended, at his or her expence by a Barrister or an Attorney at Law.

own choice and expence, and in cases where the punishment may be death or transportation, Court may assign Counsel upon their making oath of inability to employ the same; fees and expences whereof to be paid by the public, and accounts rendered to Committee of Public Accounts. Repealed by Act, No. 85.

Clause VIII. Persons upon trial before Justices of the Peace may be defended at their own expence by a Barrister or Attorney at Law.

No. LXXXI.

An Act for consolidating and amending the Laws relating to Jurors and Juries. [November 11, 1834.]—Left to its operation by Order in Council, dated March 9, 1836.

Amended by Acts, Nos. 82, and 117.

WHEREAS the Laws relating to the qualifications and summoning of Jurors, and the formation of Juries within the Islands of Grenada and the Grenadines, require alteration, and it is expedient to consolidate and simplify the same, and to increase the number of persons qualified to serve on Juries, and in some other respects to amend the said Laws, Be it therefore enacted, by His Excellency the Lieutenant-Governor, the Council and Assembly of the Island of Grenada and its Dependencies:

And it is hereby enacted, by authority of the same, That every man, except as hereinafter excepted, between the ages of twenty-one years and sixty years, residing in the Island of Grenada, being in possession of lands or tenements, in his own right, or in right of another, or in trust for him or for another, or as agent for any person or persons absent from these Islands, being worth the sum of two hundred pounds, current money of the said Island, or as principal manager of any estate or plantation, or in possession, or receipt of rents issuing out of such lands or tenements, or in such lands, tenements, and rents taken together to the value of twenty pounds currency by the year, in fee simple, fee tail, or for the life of himself, or some other person, or lands or tenements held by lease or leases for the absolute term of seven years, or for any term of years determinable on any life or lives, to the value of twenty pounds by the year, or being a householder rated at the rent of twenty pounds by the year, or being merchants or traders, or principal clerks of merchants, or principal mechanics, or chief overseers, being housekeepers residing on estates or plantations, shall be qualified and liable to serve on Grand Juries, and on Juries for the trial of all issues joined in all cases, both civil and criminal, in the Supreme Court of Judicature, and as Jurors upon Inquest of a Coroner: *Provided always, that the same persons shall not serve both on the Coroner's Inquest or Grand Jury and on the Petty Jury in the same case: Provided always, that persons of the best note shall be selected and be returned by the Magistrates of the respective parishes to serve on Grand Juries.*

And be it further enacted, That all Judges of the King's Courts in the said Islands, all Members of the Honorable Council, the Clerk of the

Preamble.
Clause I. Every man in the Island of Grenada, between the ages of twenty-one and sixty, and qualified as in this clause mentioned as to property, or being merchants, traders, or principal clerks of merchants, or principal mechanics, or chief overseers on estates, and being housekeepers, made liable to serve on all Juries in both civil and criminal cases, and upon Coroner's Inquests. Vide Act, No. 117, Clause 1.

Proviso. Not to serve both on Coroner's Inquest and Grand or Petty Jury in the same case. Persons of best note to serve as Grand Jurors.

Clause II. Persons holding certain offices, pro-

fessions, and situations, herein enumerated, exempted from serving upon Juries and Inquests.

Council, and the Treasurer of the Island; all Clergymen in holy orders; all licensed Priests of the Roman Catholic Faith, who shall have duly taken and subscribed the oaths and declarations required by Law; all persons who shall preach or teach in any congregation of Protestant Dissenters, whose place of meeting is duly registered, and who shall follow no secular occupation, except that of schoolmaster, producing a certificate of having taken the oaths, and subscribed the declaration required by Law; all Barristers at Law or other admitted practitioners actually practising; all Attorneys, Solicitors, and Proctors, actually practising; all Officers of Courts, actually exercising the duties of their respective offices; all Coroners, Gaolers, and Keepers of Houses of Correction; all licensed Practitioners in Medicine and Surgeons, actually practising; all Masters of Vessels and duly qualified Pilots; all Officers of Customs; all Marshal's Officers, Constables, and Parish Clerks; shall be and are hereby absolutely freed and exempted from being returned and from serving upon any Juries or Inquests whatsoever, and shall not be inserted in the lists to be prepared by virtue of this Act as hereinafter mentioned.

Clause III.
Disqualifications to service upon Juries and Inquests.

Provided always, and be it enacted and declared, That no man not being a natural born subject of the King is or shall be qualified to serve on Juries or Inquests, except only in the case hereinafter provided for; and no man who shall be attainted of any treason or felony, or convicted of any crime that is infamous, unless he shall have obtained a free pardon, nor any man who is under outlawry or excommunication, is or shall be qualified to serve on Juries and Inquests, in any Court or on any occasion whatsoever.

Clause IV.
Clerk of the Crown and Court to transmit on the first week of September in every year, precept of the Court to Magistrates in each parish, requiring them to make out before 1st November, lists of all persons qualified and liable to serve on Juries in such parishes respectively.

And be it further enacted, That the Secretary of the Supreme Court of Judicature and Clerk of the Crown, within the said Island, shall, within the first week of September in every year, issue and transmit the precept of the said Court, under the signatures of two of the Judges of the said Court, beginning with the Senior Judge present in the said Island, to the Magistrates of each parish in the said Island, requiring the said Magistrates, in their respective parishes, to prepare and make out, before the first day of November next ensuing, lists of all men residing within their respective parishes, qualified and liable to serve on Juries, according to this Act as aforesaid, and also to perform and comply with all other requisitions in the said precepts contained.

Clause V.
Printed forms of precepts and returns, as set forth in the schedules, to be ordered by Clerk of Crown for use of Magistrates.

And be it further enacted, That the Secretary of the said Court and Clerk of the Crown shall cause a sufficient number of precepts and returns to be printed, according to the several forms set forth in the schedule annexed, at the expense of the Colony, and shall annex to every precept a sufficient number of blank returns for the use of the respective Magistrates, by whom such returns are to be made.

Clause VI.
Justices of Peace in the respective parishes to make out two separate lists in alphabetical order of persons to serve on Grand and Petty Juries, with places of abode and calling, or business, of each.

And be it enacted, That the Justices of the Peace in every parish shall, forthwith, after receipt of such precept, prepare and make out, in alphabetical order, two true lists of every man residing within their respective parishes who shall be qualified and liable to serve on Grand and Petty Juries, selecting in the list for Grand Jurors persons of the best note, and for Petty Jurors persons of intelligence and respectable character, with the Christian and Surname written at full length, and with the true place of abode, the title, quality, calling, or business, and the nature of the qualification of every such man in the proper columns of the forms of return set forth in the schedule hereunto annexed.

Clause VII.
Provost-Marshal-General to transmit on or before the 1st of September, in every year, a certified list of freeholders, &c., to Justices of Peace in the several parishes;

And be it enacted, That for the assistance of the Justices of the Peace in completing the lists pursuant to the intent of this Act, the Provost Marshal General, or, in his absence, the acting Provost Marshal General, shall, on or before the first day of September in every year transmit to the Justices of Peace in each parish, a certified copy of such list of freeholders or other electors of Members of the General Assembly of the Representatives of the people of this Island, as the said Officer may hold for

his guidance at elections of such Representatives, in order that the said Justices of the Peace may take from such lists of electors the names of freeholders to be included in the lists of Jurors; and that the Treasurer of the said Island shall, on or before the 1st day of September, in every year, transmit to the Justices of the Peace in each parish, a certified copy of the return of the population of their respective parishes.

And be it enacted, That the Justices of the Peace in each parish having made out, according to this Act, lists of every man qualified and liable to serve on Juries as aforesaid, shall, on the three first Saturdays in the month of November, fix two true copies of such lists of Grand and Petty Jurors upon the principal door of the Court-House, within their respective parishes; having first subjoined to every such copy a notice, stating that all objections to the lists will be heard by the Justices of the Peace, at a time and place to be mentioned in such notice, the Justice of the Peace having also signed his name at the foot of such copies, and shall likewise keep the original lists or true copies thereof, to be perused by any of the inhabitants of their respective parishes, at any reasonable time during the first three weeks of the month of November, without any fee or reward, to the end that notice may be given of men qualified, who are omitted, or of men inserted, who ought to be omitted, out of such list.

ing, during the first three weeks of November, without any fee.

And be it enacted, That the Justices of the Peace shall hold a special petty session, for the purposes herein mentioned, within the last seven days of November, in every year, on some day and at some place, of which public notice shall be given by affixing a written paper thereof on the principal door of the Court House in the parish, before the twentieth day of October next preceding, at which special petty session the Justices of the Peace shall then and there produce the list of men qualified and liable to serve on Juries, as aforesaid, within their respective parishes, by such Justices of the Peace prepared and made out as hereinbefore directed; and if any man not qualified and liable to serve on Juries, as aforesaid, is inserted in any such list, it shall be lawful for the said Justice, upon satisfaction from the oath of the party complaining, or other proof, or upon their own knowledge, that he is not qualified and liable to serve on Juries, to strike his name out of the list, and also to strike thereout the names of men disabled by lunacy or imbecility of mind, or by deafness, blindness, or other permanent infirmity of body, from serving on Juries; and it shall also be lawful for such Justices to insert in such list or lists the name of any man omitted therein, and likewise to reform any errors or omissions which shall appear to them to have been committed, in respect to the name, place of abode, title, quality, calling, business, or the nature of the qualification, of any man included in any such list: Provided always, that no man's name, if omitted, shall be inserted in such list, nor shall any error or omission, in the description of any man in such list, be reformed by the said Justices, unless upon the application of such men, respectively, or unless such men, respectively, shall have had notice that an application for such purpose would be made to the Justices at such petty sessions, or unless such Justices, at such sessions, shall cause notice to be given to such men, respectively, requiring them to shew cause at some adjournment of such petty session, to be holden within four days thereafter, why their names should not be inserted in such lists, or why any error or omission in the description of such men in such lists should not be reformed; and when every such list shall be duly corrected at such session, or at such adjournment thereof, it shall be allowed by the said Justices then present at such session or adjournment, who shall sign the same with their allowance thereof, and transmit the same so allowed to the said Secretary and Clerk of the Crown, at the session to be next holden, on the first day of its sitting, at the same time attesting on oath his receipt of every such list from the petty session, and that no alteration hath been made therein since the receipt thereof.

Clause VIII.

On the three first Saturdays in November, Justices of the Peace to fix true copies of lists of Grand and Petty Jurors upon door of Court-house in their respective parishes, with subjoined notice, that all objections will be heard by them at a stated time—notice, &c., to be signed by Justices.

Persons may peruse such lists at any reasonable time at Justice's dwelling, without any fee.

Clause IX.

Justices of the Peace to hold a special petty session within the last seven days of November, (and to give public notice thereof on door of Court-house in the parish) for the purpose of hearing and considering objections to Jury list, and of making additions thereto.

To strike out names of persons disabled by lunacy or imbecility of mind, deafness, blindness, or other permanent infirmity of body, from such lists, and to correct any errors.

Proviso.

No omission of any man's name or description, &c., to be altered, except upon such person's application, or unless notice of such intended alteration, &c., shall have been given to the party and opportunity afforded him or them, at an adjourned Court, of shewing cause why such omission should not be rectified or alteration made.

Justices, after correcting lists and signing them, to transmit the same to Secretary of Court on the first day of the next session.

Clause X.

And be it enacted, That the said Secretary and Clerk of the Crown shall keep the lists so returned by the respective Magistrates of each parish, among the Records of the Court, and cause the names in the said lists to be truly and fairly copied, and arranged in *alphabetical order*, in a book to be by him provided for that purpose, at the expense of the Colony, with proper columns for making the register hereinafter directed, and shall deliver the same book to the Provost Marshal General of the Colony, or, if absent, to the acting Provost Marshal General, within three weeks next after the close of such session, which book shall be called the Jurors' Book for the year — (inserting the calendar year for which such book is to be in use); and that every Provost Marshal General, or, in his absence, every acting Provost Marshal General, on quitting his Office, shall deliver the same to his successor; and that every Jurors' Book so prepared shall be brought into use on the 1st day of March, after it shall be so delivered by the Secretary of the Supreme Court of Judicature, to the Provost Marshal General, or, in his absence, to the acting Provost Marshal General, and shall be used for one year then next following.

Clause XI.

And be it further enacted, That the said Secretary and Clerk of the Crown, with the direction of the Judge or Judges of the said Court, ten days at least before the sitting of the Supreme Court of Judicature, shall issue out a writ or precept in the King's name, directed to the Provost Marshal General, or, in his absence, to the acting Provost Marshal General, requiring him to summon a sufficient Grand Jury and sufficient Petty Juries, qualified according to the provisions hereinbefore made, to serve at the next sittings of the Supreme Court of Judicature, to be held for this Island, on the — day of —, in the Town of Saint George, in this Island, which writ or precept shall be tested in manner and form following:

Precept to be tested by Justices of the Court, and signed by two or more of them.

Vide Act, No. 16, Clause 8, and No. 30, Clause 5.

Clause XII.

Thirty persons of best note, and 48 sufficiently qualified persons, to be summoned as Grand and Petty Jurors. Exemptions.

Form of summons and manner of service.

Clause XIII.

Jurors to be returned from names in the Jurors' book of the then year, or, if none, from the book of the year preceding.

Clause XIV.

Except when a special Jury shall be

And be it further enacted, That by virtue of the said writ, the Provost Marshal General, or, in his absence, the acting Provost Marshal General, shall summon thirty persons of the best note (not being persons exempted by this Act), being qualified according to the provisions hereinbefore made, to serve as Grand Jurors, and at least forty-eight sufficient persons qualified according to the provisions hereinbefore made (not being members of the said Court, or members of either branch of the Legislature of the said Island, or Justices of the Peace, or any other person exempted by this Act), to serve as Petty Jurors at the same Court, respectively; and to prevent disputes about the notice to be given to such Jurors, the summons shall be made and signed by the Provost Marshal General, or in his absence, by the acting Provost Marshal General, as follows:—"Mr. A. B. appear on the — day of —, and serve as a Grand Juror, or Petty Juror (distinguishing which in the summons) at the ensuing Supreme Court of Judicature;" and such summons shall be served either personally or by leaving it at the usual place of abode of the person summoned, at least four days previous to the day of attendance.

And be it enacted, That the Provost Marshal General, or, in his absence, the acting Provost Marshal General, upon the receipt of every such writ or precept for the return of Jurors, shall return the names of men contained in the Jurors' book for the then current year, and no others: Provided always, That if by any accident there shall be no Jurors' book in existence for the current year, it shall be lawful to return Jurors from the Jurors' book for the year preceding.

And be it enacted, That the Provost Marshal General, or acting Provost Marshal General shall, upon his return of every writ or precept for sum-

moning Juries (unless in cases where a special Jury shall be struck by Order or Rule of Court), annex a panel to the said writ, containing the names, alphabetically arranged, together with the places of abode, and additions, of a competent number of Jurors named in the Jurors' Book, and that the names of the same Jurors shall be inserted in the panel annexed in every venire facias for the trial of all issues at the same sitting of the Court, which number of Jurors shall not be less than is provided for in the twelfth Clause of this Act.

And be it further enacted, That the Provost Marshal General, or, in his absence, the acting Provost Marshal General, shall cause to be made out an alphabetical list of the names of all the Jurors contained in the panels to the writ or precept annexed and returned as aforesaid, with their respective places of abode and additions, and shall keep such list in his office for seven days at least, before the sitting of the next Supreme Court, and the parties in all causes to be tried at such Court, and their respective Attorneys, shall, on demand, have full liberty to inspect such list, without any fee or reward to be paid for inspection.

Provided always, and be it further declared and enacted, That the Supreme Court of Judicature shall have and exercise the same power and authority as it has heretofore had, in issuing any writ or precept, or in making any award, or order, orally, or otherwise, for the return of a Jury, for the trial of any issue before the said Court, or for the amending or enlarging the panel of Jurors returned for the trial of any issue.

Provided always, and be it further enacted, That in any case wherein an order for a view shall have been obtained, as hereinafter mentioned, it shall be lawful for the Chief Judge, or the Senior Assistant Judge, before whom such case is to be tried, and he is hereby required, on the application of the party obtaining such order, to appoint such case to be tried during the attendance and service of that set of Jurors, in which the viewers or the major part of them are included.

And be it further enacted, That where, in any case, civil or criminal, or on any penal statute depending in the said Supreme Court, it shall appear to the Chief Judge, or, in his absence, to the Senior Judge present in the said Court, in vacation, that it will be proper and necessary that some of the Jurors, who are to try the issues in such cases, should have the view of the place in question, in order to their better understanding the evidence that may be given upon the trial of such issues; in every case, such Judge in vacation may order a rule to be drawn up containing the usual terms, and also requiring, if such Judge shall so think fit, the party applying for the view to deposit in the hands of the Provost Marshal General, or acting Provost Marshal General, a sum of money, to be named in the rule, for payment of the expences of the view, and commanding special writs of venire facias, distringas, or habeas corpora, to issue, by which the Provost Marshal General, or acting Provost Marshal General, shall be commanded to have six or more of the Jurors named in such writs, or in the panels thereto annexed, who shall be mutually consented to by the parties, or if they cannot agree, shall be nominated by the Provost Marshal General, or acting Provost Marshal General, at the place in question, some convenient time before the trial, who then and there shall have the place in question shewn to them, by two persons, in the said writs named, to be appointed by the Court or Judge; and the said Provost Marshal General, or acting Provost Marshal General, who is to execute any such writ, shall, by a special return upon the same, certify that the view hath been had according to the direction of the same, and shall specify the names of the viewers.

And be it further enacted, That where a view shall be allowed in any case, those men who shall have had the view, or such of them as shall appear upon the Jury to try the issue, shall be first sworn, and so many shall be added to the viewers who shall appear, as shall, after all defaulters and challenges allowed, make up a full Jury of twelve.

struck by order of Court, Marshal to annex an alphabetical panel to return of precept, with additions as in Juror's Book. Same names to be inserted in the panel annexed in every venire facias for

trials of all issues at same sitting of Court. Vide Act, No. 82, Cl. 3.

Clause XV. List of Jurors in the panels annexed to the precept to be made out and kept in Provost-Marshal General's office, for seven days before sitting of Court, for inspection of persons interested, and their attorneys.

Clause XVI. Power and authority of the Supreme Court of Judicature, the same as formerly.

Clause XVII. Order for a view having been obtained, the case may be tried during the attendance of Jurors, in which the viewers, or major part of them, are included.

Clause XVIII. Provisions and regulations to be observed in cases where a view is deemed by the Court to be necessary and proper.

Clause XIX. Viewers upon Jury to be first sworn, and as many added to them as shall make a full jury of twelve.

Clause XX.

Names of Jurors summoned, to be written each on a distinct piece of card of equal size, and given to the Secretary of Court, by Provost-Marshal General.

Cards to be put into a box, and when any issue is to be tried, Secretary to draw out in open Court one after the other twelve thereof, or in the event of challenges, &c., such further number as shall make up twelve, who shall be sworn as a Jury to try the issue—names to be kept apart from the others until verdict shall have been given in or Jury discharged, when they shall be returned to the box.

Proviso.

In respect to a new Jury being impanelled, to try a new issue before the other Jury have brought in their verdict. Lawful for the Court to try any issue (no objection being made thereto) with the same Jury that shall have previously been drawn to try any other issue, or to order any Jurors (with consent of both parties) to be withdrawn, &c.

Clause XXI.

Want of qualification good cause of challenge. Want of freehold, when qualification is complete in other respects, not to be accepted as a good cause of challenge.

Nothing herein contained to apply to special Jurors.

Clause XXII.

Challenges upon Inquests where the King is a party, unless cause certain be assigned, not to prevent the taking of such inquisitions.

And be it enacted, That the name of each man who shall be summoned and impanelled in the Supreme Court for the trial of issues, civil or criminal, with the place of his abode and addition, shall be written on a distinct piece of card, such pieces of card being all, as nearly as may be, of equal size, and shall be delivered to the said Secretary or Clerk of the Crown, by the Provost Marshal General, or the acting Provost Marshal General; and shall, by the said Secretary, and Clerk of the Crown, be put together in a box to be provided for that purpose; and when any issue shall be brought on to be tried, such Secretary and Clerk of the Crown shall, in open Court, draw out twelve of the said Cards, one after another; and if any of the men whose names shall be so drawn, shall not appear, or shall be challenged and set aside, then such further number, until twelve men be drawn who shall appear, and after all just causes of challenge allowed, shall remain as fair and indifferent; and the said twelve men, so first drawn and appearing, and approved as indifferent, their names being marked in the panel, and they being sworn, shall be the Jury to try the issue; and the names of the men so drawn and sworn shall be kept apart by themselves, until such Jury shall have given in their verdict and the same shall be recorded, or until such Jury shall, by consent of the parties, or by leave of the Court, be discharged; and then the same names shall be returned to the box, there to be kept with the other names remaining at that time undrawn, and so toties quoties as long as any issue remains to be tried; Provided always, That if any issue shall be brought on to be tried in the said Court, before the Jury in any other issue shall have brought in their verdict, or been discharged, it shall be lawful for the Court to order twelve of the residue of the said cards not containing the names of any of the Jurors who shall not have so brought in their verdict, or been discharged, to be drawn in such manner as aforesaid, for the trial of the issue which shall be so brought on to be tried; Provided also, That when no objection shall be made on the part of the King, or any other party, it shall be lawful for the Court to try any issue with the same Jury that shall have previously tried, or been drawn to try, any other issue, without their names being returned to the box and redrawn, or to order the name or names of any man or men on such Jury, whom both parties may consent to withdraw, or who may be justly challenged, or be excused by the Court, to be set aside, and another name, or other names, to be drawn from the box, and to try the issue with the residue of such original Jury, and with such man or men whose name or names shall be so drawn, and who shall appear and be approved as indifferent, and so toties quoties, as long as any issue remains to be tried.

And be it further enacted, That if any man shall be returned as a Juror for the trial of any issue in the Supreme Court of Judicature, who shall not be qualified according to this Act, the want of such qualification shall be good cause of challenge, and he shall be discharged upon such challenge, if the Court shall be satisfied of the fact; and that if any man returned as a Juror for the trial of any such issue, shall be qualified in other respects according to this Act, the want of freehold shall not on such trial in any case, civil or criminal, be accepted as good cause of challenge either by the Crown, or by the party, nor as cause for discharging the man so returned upon his own application; any law, custom, or usage to the contrary notwithstanding; provided that nothing herein contained shall extend, in any wise, to any special Juror.

And be it further enacted, That in all Inquests to be taken before the said Supreme Court, wherein the King is a party, howsoever it be, notwithstanding it be alleged by them that sue for the King, that the Jurors of those Inquests, or some of them, be not indifferent for the King, yet such Inquests shall not remain untaken for that cause; but if they that sue for the King will challenge any of those Jurors, they shall assign of their challenge a cause certain, and the truth of the same challenge shall be enquired of, according to the custom of the Court, and it shall be proceeded

to the taking of the same inquisitions, as it shall be found, if the challenges be true or not, after the discretion of the Court; and that no person arraigned for murder, or felony, shall be admitted to any peremptory challenge above the number of twenty.

Persons arraigned for murder or felony, not to be peremptory challenges beyond the number of twenty.

And be it further enacted and declared, That it is and shall be lawful for the said Supreme Court of Judicature, upon motion made on behalf of the King, or upon the motion of any prosecutor, relator, plaintiff, or defendant, or of any demandant or tenant in any case whatsoever, whether civil or criminal, or on any penal statute, excepting only indictments for treason or felony, and the said Court is hereby authorized in any of the cases before mentioned, to order and appoint a special Jury to be struck before the said Secretary and Clerk of the Crown, for the trial of any issue joined in any of the said cases, and triable by a Jury, in such manner as the said Court has usually ordered the same, and every Jury so struck, shall be the Jury returned for the trial of such issue.

Clause XXIII.
Cases in which the Court may order a special Jury to be struck.

And be it further enacted, That every man in the lists, as returned in the Jurors' Book, to serve on Grand Juries, who shall be described as principal Planters and Merchants, notwithstanding such Freeholder or Merchant be a Member of the Honorable House of Assembly, shall be qualified and liable to serve on special Juries; and the Provost Marshal General, or, in his absence, the acting Provost Marshal General, shall, within ten days after delivery of the Jurors' Book for the current year, take from such books the names of all men therein described as freeholders of a plantation, and principal merchants, and shall cause the names of all such men to be fairly and truly copied out in alphabetical order, together with their respective places of abode, in a separate list, to be joined to the Jurors' Book, which list shall be called "The Special Jurors' List," and shall prefix to every name in such list, its proper number, beginning the numbers from the first name, and continuing them in a regular arithmetical series, down to the last name, and shall cause the said several numbers to be written upon distinct pieces of card, being all, as nearly as may be, of equal size; and after all the said numbers shall have been so written, shall put the same together in a separate box, and shall there safely keep the same, to be used for the purpose hereinafter mentioned.

Clause XXIV.
Members of Assembly liable to serve on special Juries.

And be it further enacted, That when the Supreme Court of Judicature shall order a Special Jury to be struck, the said Secretary and Clerk of the Crown shall appoint a time and place for the nomination of such Special Jury, and a copy of the Order of the Court, with the time and place appointed thereto added, shall be served on the Provost Marshal General, or acting Provost Marshal, and also on all the parties who have been usually served with the same, respectively, in the accustomed manner, and the said Secretary and Clerk of the Crown, at the time and place appointed, being attended by the Provost Marshal General, or acting Provost Marshal General, who shall bring with him the Jurors' Book, and such Special Jurors' list, and all the numbers so written on distinct pieces of card, as aforesaid, shall, in the presence of all the parties, in any case, and of their attorneys (or if all or any of them do not chose to attend, then, in their absence) put all the said numbers into a box, to be by him provided for the purpose, and after having shaken them together, shall draw out of the said box *thirty* of the said numbers, one after another, and shall, as each number is drawn, refer to the corresponding number in the Special Jurors' List, and read aloud the name designated by such number; and if at the time of so reading any name, either party shall object that the man whose name shall have been referred to, is in any manner incapacitated from serving on the said Jury, and shall also then and there prove the same to the satisfaction of the said Secretary and Clerk of the Crown, such name shall be set aside, and the said Secretary and Clerk of the Crown shall, instead thereof, draw out of the said Box another number, and shall, in like manner, refer to the corresponding number in the said List, and read aloud the name designated

Special Jurors' list to be made by the Provost Marshal General.

Regulations concerning.

Clause XXV.
Proceedings to take place when Supreme Court shall order a special Jury to be struck.

Duties of Secretary of the Court and Provost Marshal General, in relation to the striking of such special Juries.

Vide Act, No. 117, Clause 8.

Either party interested objecting to any man as being incapacitated to serve on special Jury, and proving the same to satisfaction of Secretary and Clerk of the Crown, name to be set aside.

Vide Act, No. 117,
Clause 8.

Thirty names to be
drawn. Deficiency
may be supplied
from the general
Jurors' Book.

Subsequent pro-
ceedings for redu-
cing special Jury
list, &c., and fees
payable to remain
as heretofore.

Clause XXVI.
Upon consent of
parties, the same
special Jury may
try any number of
causes; Court, upon
application of any
person who may
have already served
upon special Jury,
may discharge him
from serving upon
any other during
same session.

Clause XXVII.
Party applying for
special Jury to pay
the fees for striking
Jury and all ex-
penses occasioned
by trial of the cause,
but shall only be al-
lowed in taxation
of costs, as on trial
by common Jury,
unless the Judge
shall certify that

Clause XXVIII.
No special Juror to
take more for serv-
ing on such Jury
than the Judge shall
think reasonable,
and which is not to
exceed £3 6s. cur-
rency, except where
a view is ordered.

Clause XXIX.
When from any cir-
cumstances a full
Jury cannot be ta-
ken from those
summoned, at the
request of parties
for the King or
those at issue in the
causes to be tried,
Marshal to return
as Jurors such men
then present as
shall be qualified,
and shall annex
their names to the
panel. Provided

thereby, which name may be, in like manner, set aside, and other numbers and names shall, in every such case, be resorted to, according to the mode of proceeding hereinbefore described, for the purpose of supplying names in the places of those set aside, until the whole number of *thirty* names, not liable to be set aside shall be completed; and if in any case it shall so happen, that the whole number of *thirty* names cannot be obtained from the Special Jurors' List, in such case, the said Secretary and Clerk of the Crown, shall fairly and indifferently take, according to the mode of nomination heretofore pursued in nominating Special Juries, such a number of names from the General Jurors' Book, in addition to those already taken from the Special Jurors' List, as shall be required to make up the full number of *thirty* names, all and every of which *thirty* names shall in such case be equally deemed and taken to be those of Special Jurors, and the said Secretary and Clerk of the Crown, shall afterwards make out for each party, a list of the *thirty* names, together with the respective places of abode and additions, and after having made out such List, shall return all the numbers so drawn out together, with all the numbers remaining undrawn, to the Provost Marshal General, or acting Provost Marshal General, to be by him safely and securely kept for future use, and all the subsequent proceedings for reducing the said List, and all other matters whatever relating to Special Juries, shall remain and continue in force as heretofore, except where the same, or any part thereof, is expressly altered by this Act; and all the fees heretofore payable on the striking of Special Juries, shall continue to be paid in the accustomed manner.

Provided always, and be it further enacted, That nothing herein contained shall be construed to prevent the same Special Jury from trying any number of causes, so as the parties, in every such cause, or their attorneys, shall have signified their consent to the nomination of such Special Jury, for the trial of their respective causes: Provided always, That it shall be lawful for the Court, if it shall so think fit, upon the application of any man who shall have served upon one or more Special Jury cases, at any session of the said Court, to discharge such man from serving upon any other Special Jury case during the same session.

And be it further enacted, That the person or party who shall apply for a special Jury, shall pay the fees for striking such Jury, and all the expenses occasioned by the trial of the cause by the same, and shall not have any further or other allowance for the same upon taxation of costs than such person or party would be entitled unto in case the cause had been tried by a common Jury, unless the Judge, before whom the cause is tried, shall, immediately after the verdict, certify, under his hand, upon the back of the record, that the same was a cause proper to be tried before a Special Jury.

And be it further enacted, That no Juror who shall serve upon any Special Jury, shall be allowed, or take, for serving on any such Jury more than such sum of money as the Judge who tries the issue shall think just and reasonable, and which shall not exceed three pounds six shilling currency, except in causes wherein a view is directed and shall have been had by such Juror.

And be it further enacted, That where a full Jury shall not appear before the said Court, or where, after the appearance of a full Jury, by challenge of any of the parties, the Jury is likely to remain untaken for default of Jurors, the Court, upon request made for the King by any one thereto authorised or assigned by the Court, or on request made by the plaintiff or demandant, defendant or tenant, or their respective attorneys, in any action or suit, whether popular or private, shall command the Provost Marshal General, or acting Provost Marshal General, to name and appoint, as often as need shall require, so many of such able men of these Colonies, then present, as shall make a full Jury, and the Provost Marshal General, or acting Provost Marshal General, shall at such command of the Court, return

such men duly qualified as shall be present, or can be found to serve on such Jury, and shall add and annex their names to the former panel, provided that where a Special Jury shall have been struck for the trial of any issue, the talesmen shall be such as shall have been impaneled upon the common Jury panel to serve at the same Court, if a sufficient number of such men can be found, and the King, by any one authorised or assigned as aforesaid, and all and every the parties, as aforesaid, shall and may in each of the cases aforesaid, have their respective challenges to the Jurors so added and annexed, and the Court shall proceed to the trial of every such issue with those Jurors who were before impanelled, together with the talesmen so newly added and annexed, as if all the said Jurors had been returned upon the writ or precept awarded to try the issue.

And be it enacted, That if any man having been duly summoned to attend on any kind of Jury, shall not attend in pursuance of such summons, or being thrice called shall not answer to his name, or if any such man, or any talesman, having been called shall be present, but not appear, or after his appearance shall wilfully withdraw himself from the presence of the Court, the Court shall set a fine upon every such defaulter as follows:— Upon a Grand Juror, a sum not exceeding ten pounds, current money of Grenada; and upon a Petty Juror, a sum not exceeding five pounds, like money; and upon a viewer, a sum not exceeding ten pounds, like money; unless some reasonable excuse shall be admitted by the Court, or proved by oath or affidavit, or, in case of sickness, the certificate of a medical attendant.

And be it enacted, That the Provost Marshal General, or acting Provost Marshal General, shall be and is hereby indemnified for impanelling and returning any man named in the Jurors' Book, although he may not be qualified or liable to serve on Juries, and if the Provost Marshal General, or acting Provost Marshal General, shall wilfully impanel and return any man to serve on any Jury, such man's name not being inserted in the Jurors' Book, for the current year, or if such book has not been delivered, then in the Jurors' Book last delivered, or if the said Secretary or Clerk of the Crown shall wilfully record the appearance of any man so summoned and returned who, did not really appear, in every such case, the Court shall and may, upon examination, in a summary way, set such fine upon the officer offending, as the Court shall think meet.

did not appear, Court shall at its discretion, fine

And be it further enacted, That the Provost Marshal General, or acting Provost Marshal General, shall register, alphabetically, in proper columns, to be prepared in the Jurors' Book for that purpose, the services of such men as shall be summoned and shall attend to serve as Jurors on trials, and also the times of their services, and every man so summoned, and having duly attended, or served, until discharged by the Court, shall, upon application by him made to the Provost Marshal General, or acting Provost Marshal General, before he shall depart from the place of trial, receive a certificate, certifying such his service, which certificate the Provost Marshal General, or acting Provost Marshal General, is hereby required to give to the applicant.

And be it enacted, That the said Secretary or Clerk of the Crown, at every session shall make out a list of such men as shall be summoned and shall attend to serve on any Grand or Petty Jury at such Session, together with their respective places of abode and additions, and the date of their services, and shall, within twenty days after the close of every such Session, deliver such list to the Provost Marshal General, or acting Provost Marshal General, who is hereby required forthwith to register the names of the men included in such list, in the proper columns of the Jurors' Book for that purpose, together with the date of their services; and every man so summoned, and having duly attended or served, until discharged by the Court, shall, upon application by him made to the said Secretary or Clerk of the

that where special Jury shall have been struck, the talesmen shall be such as shall have been impanelled on common Jury. Panel to serve at same Court.

Parties may in every such case, have their respective challenges to the Jurors so added, and Court may proceed to trial with Jurors before impanelled, and talesmen newly added.

Clause XXX.

Persons summoned as Jurors not attending, or withdrawing from Court, to be fined as follows:—Grand Juror in a sum not exceeding £10; Viewer in a sum not exceeding £10; Petty Juror in a sum not exceeding £5; unless some reasonable excuse shall be admitted or proved, &c.

Clause XXXI.

Marshal indemnified for impanelling any unqualified man whose name is in the Jurors' Book. But if he shall wilfully impanel any man whose name has not been inserted in the Jurors' Book of the current year, &c., and if the Clerk of the Crown shall wilfully record the appearance of any man so summoned, and who the offending officer.

Clause XXXII.

Provost Marshal General to register the services of Jurors in Jurors' Book, and to give certificates of the same to parties so serving.

Clause XXXIII.

Secretary of the Court to make out a list of Grand or Petty Jurors summoned, and attending at each session, and deliver the same to the Provost Marshal General within twenty days after the close of such session, in order that the names may be registered in the Jurors' book.

And to give certificate of service upon application of party.

Crown, before he shall depart from the place, receive a certificate, testifying such his service, which certificate the said Clerk is hereby required to give.

Clause XXXIV.
No person to be returned to serve as a Juror at any session a second time who had served at the previous session, until his turn came regularly upon the list. Marshal wilfully summoning such person out of his turn, to be fined by the Court in a sum not exceeding £100.

And be it further enacted, That no man shall be returned as a Juror, to serve at any session of the said Court, who has served at a former session, and has the Provost Marshal's certificate of having so served, until all the Jurors in the list in the Jurors' Book, subsequently and antecedently placed to such Juror's name, shall have been first summoned to serve before such Juror who has already served; and if the Provost Marshal General, or acting Provost Marshal General, shall wilfully transgress in such a case, the Court may and is hereby required, on examination and proof of every such offence, in a summary way, to set a fine upon such Officer so offending, not exceeding the sum of one hundred pounds.

Clause XXXV.
Provost-Marshal-General or person acting for or under him, receiving money, or otherwise corruptly and partially excusing Jurors from attendance, or neglecting duty in regard to period of service of summons, to be fined by the Court in a sum not exceeding £100.

And be it further enacted, That if the Provost Marshal General, or acting Provost Marshal General, Bailiff, or other officer or person employed by the Provost Marshal General, or acting Provost Marshal General, shall, directly, or indirectly, take or receive any money, or other reward or promise of money or reward, to excuse any man from serving, or from being summoned to serve on Juries, or under any such colour or pretence; and that no Bailiff or other officer or person whatsoever appointed by the Provost Marshal General, or acting Provost Marshal General, to summon Juries, shall summon any man to serve thereon, other than those whose names are specified, in a warrant or summons signed by the Provost Marshal General, or acting Provost Marshal General, directed to such Bailiff or other officer; and if the Provost Marshal General, or acting Provost Marshal General, or other officer or Bailiff, shall wilfully transgress in any of the cases aforesaid, or shall summon any Juror, not being a Special Juror, less than four days before the day on which he is to attend, the Court may and it is hereby required, on examination and proof of such offence, in a summary way, to set a fine upon every person so offending, not exceeding the sum of one hundred pounds, according to the nature of the offence.

Clause XXXVI.
Secretary and Clerk of the Crown neglecting any of the duties prescribed herein, to forfeit a sum not exceeding £100.

And be it further enacted, That if the said Secretary and Clerk of the Crown shall refuse or neglect to cause a sufficient number either of warrants, precepts, or forms of returns, to be printed in the manner hereinbefore directed, or shall refuse or neglect to issue and deliver to the Provost Marshal General, or acting Provost Marshal General, within the meaning of this Act, the warrant and precepts as hereinbefore directed, or to annex to the same such a number of the forms of return as he shall bona fide deem sufficient, or deliver to any Justices of the Peace such additional number thereof as he may apply for, within three days after such application, or shall refuse or neglect to provide a Jurors' book within the time or in the manner and form hereinbefore prescribed, or to deliver the same to the Provost Marshal General, or acting Provost Marshal General, within the time hereinbefore prescribed, or to deliver to any man who shall have been summoned, and have duly attended or served as a Grand Juror or Petty Juror, at the sessions of the Supreme Court of Judicature, a certificate of such man's service, on his application, as aforesaid, or to deliver to the Provost Marshal General, or acting Provost Marshal General, a list of the men who shall have been so summoned, and have so attended or served, within the time and in the manner hereinbefore directed, or if the Provost Marshal General, or acting Provost Marshal General, shall make, or cause to be made, any alteration whatsoever in the lists of Jurors contained in the Jurors' Book, or if the Provost Marshal General, or acting Provost Marshal General, shall neglect or refuse to provide or prepare a list of special Jurors in the manner and within the time hereinbefore prescribed, or shall wilfully write or cause to be written therein, the name of any person not qualified, or shall wilfully omit thereout the name of any person duly qualified as a special Juror, or shall neglect or refuse to write or cause to be written the several numbers contained in such list upon distinct pieces

Provost-Marshal-General neglecting any of the duties herein prescribed, or transgressing against any of the provisions in this Act contained, for the regulation of his conduct to forfeit a sum not exceeding £100.

of card, in the manner and in the time hereinbefore prescribed, or shall subtract or destroy, or by any default or neglect lose any of the said pieces of card, or shall neglect or refuse, upon discovery of such loss, to supply the same within five days, or shall refuse or neglect to prepare or keep for inspection, as aforesaid, a copy of the panel in the cases hereinbefore provided for, or register the service of any Juror as hereinbefore directed, or to deliver to any man who shall have been summoned and have duly attended or served as a Juror at the sitting of the Supreme Court, a certificate of such man's service, on his application as aforesaid, or shall refuse or neglect within ten days after the next succeeding Provost Marshal shall be sworn into, or have entered upon, office, or upon the return of the Provost Marshal General from leave of absence, to deliver over to him as well the Jurors' Book and lists that shall be made and prepared for the current year, as also all such other like books and lists as were prepared, within four years then next preceding, and which were delivered over to him by his predecessor; every such Secretary and Clerk of the Crown, or Provost Marshal General, or acting Provost Marshal General, offending in any of the said cases, shall, for every such offence, forfeit a sum not exceeding one hundred pounds, currency, one moiety whereof shall be to the use of His Majesty, his heirs, and successors, and the other moiety with full costs to such person as shall sue for the same by action of debt, bill, plaint, or information, wherein no essoign, protection or wager of law, nor more than one imparlance shall be allowed.

Forfeitures in either case to be divided between the King and person suing for the same.

Provided always, and it is hereby further enacted, That nothing herein contained shall extend, or be construed to extend, to deprive any alien indicted or impeached of any felony or misdemeanor of the right of being tried by a Jury de medietate linguæ; but that on the prayer of every alien so indicted or impeached, the Provost Marshal General, or acting Provost Marshal General, shall, by command of the said Court, return for one half of the Jury a competent number of aliens, if so many there be in the said island, and that no such alien Juror shall be liable to be challenged for want of any qualification required by this Act, but any such alien may be challenged for any other cause, in like manner as if he were qualified by this Act.

Clause XXXVII. Nothing in this Act contained to be construed to deprive aliens of the right to be tried for felonies or misdemeanors by a Jury de medietate linguæ.

Manner in which the said Jury is to be returned.

And be it further enacted, That all Coroners within these Islands of Grenada and the Grenadines, shall and may, respectively, take and make all inquests and inquiries by Jurors according to the list of Jurors contained in the Jurors' Book for the current year; or if no such book shall be in existence, then, according to the list of Jurors contained in the last preceding year, and the Provost Marshal General, or acting Provost Marshal General, shall, within ten days after the Jurors' Book shall be formed and completed for the current year, furnish and supply every Coroner in the said Island with a fair and true copy of the list of Jurors taken, and to be by him officially subscribed from the Jurors' Book for the current year; and upon neglect or refusal so to furnish and supply each and every of the Coroners with such authenticated lists of Jurors, the Provost Marshal General, or acting Provost Marshal General, so neglecting or refusing, shall forfeit the like sum of money that is provided as a penalty for the offences mentioned in respect of that Officer in the thirty fifth Clause of this Act: Provided always, That all persons duly summoned by the Coroner, according to such lists of Jurors, to serve upon Coroner's inquests or inquiries, who shall refuse or neglect to attend and serve on such inquests or inquiries, shall forfeit the penalty of ten pounds for such refusal or neglect, after such persons shall have been called aloud three times without making their appearance; and every such Coroner shall make out and sign a certificate containing the Christian and surname, the residence and trade calling, of every man so making default, together with the amount of the fine imposed, and the cause of such fine, and shall transmit such certificate to the said Secretary and Clerk of the Crown, before the first day of

Clause XXXVIII. Jurors upon Coroners inquests to be taken from Jurors' book for the current year, or the one preceding, and Provost-Marshal-General to supply every Coroner with a true copy of the Jurors' lists in the said book, under a forfeiture of £100.

Vide Act, No. 117, Clause 2.

Persons summoned as aforesaid to serve on Coroner's inquests, refusing or neglecting so to serve, to forfeit the sum of £10.

Manner in which the Coroner and Secretary and Clerk of the Crown are to proceed in levying the said fine.

Nearest Medical Practitioner to be summoned by the Coroner where he may deem it necessary, to attend on any inquest, who is to perform what shall be requisite. Penalty of £10 for disobeying such summons.

Clause XXXIX. General issue may be pleaded on suit or action for any thing done in pursuance of this Act, and the act as well as the special matter given in evidence upon trial, &c.

Clause XL. One month's notice to be given to defendants of all actions or suits intended to be commenced for anything done in pursuance of this Act.

Clause XLI. No writ of attain against any Jury or parties interested for verdict given, to be prosecuted after the passing of this Act, nor any inquest to be taken for concealments upon former inquests, but all such to be abolished.

Clause XLII. Persons guilty of embracery or of wilfully and corruptly consenting thereto, may be proceeded against by indictment or information, and punished accordingly.

Clause XLIV. Part of 7th Clause of Act No. 2, for establishing a Register's Office—part of 8th, 9th, and 10th clauses of Act No. 16, —25th, 26th, and 27th clauses of Act No. 24 for establishing a Court of Common Pleas and Complaints—and an Act intitled "An Act to enable all His Majesty's British subjects to sit as Jurors on all trials and Coroners' in-

the next sitting of the said Court; and the said Secretary and Clerk of the Crown is hereby required to copy the fines so certified on the roll or in the book on which or in which all fines and forfeitures imposed by the said Court shall be copied, and the same shall be estreated, levied, and applied, in like manner, and subject to the like powers, provisions, and penalties, in all respects, as if they had been part of the fines imposed by the said Court, at any sitting thereof: and that when the Coroner shall deem it necessary, it shall be lawful for him to summon the nearest Medical Practitioner that he can obtain to attend at, and perform what may be requisite on any inquest, and such Medical Practitioner shall obey such summons under the penalty of ten pounds currency, and for his attendance and professional services he shall, upon a certificate of the Coroner, receive from the Colonial Treasurer the sum allowed by law.

And be it further enacted, That if any suit or action shall be prosecuted against any person for any thing done in pursuance of this Act, such person may plead the general issue, and give this Act and the special matter in evidence at any trial to be had thereupon; and if a verdict shall pass for the defendant, or the plaintiff shall become nonsuit or discontinue his or her action after issue joined, or if upon demurrer or otherwise, judgment shall be given against the plaintiff, the defendant shall recover double costs, and have the like remedy for the same as any defendant hath by law in other cases; and though a verdict shall be given for the plaintiff in such action, such plaintiff shall not have costs against the defendant, unless the Judge, before whom the trial shall be, shall certify his approbation of the action, and of the verdict obtained thereupon.

And be it further enacted, That notice in writing of the cause of all actions, suits, and prosecutions intended to be commenced against any person, for any thing done in pursuance of this Act, shall be given to the defendant or defendants one calendar month, at least, before the commencement of the action.

And be it further enacted, That from and after the passing of this Act, it shall not be lawful, either for the King or any one on his behalf, or for any party or parties, in any case whatsoever, to commence or prosecute any writ of attain against any Jury or Jurors for the verdict by them given, or against the party or parties who shall have judgment upon such verdict; and that no inquest shall be taken to inquire of the concealment of other inquests, but that all such attainments and inquests shall henceforth cease, become void, and be utterly abolished, any law, statute, or usage, to the contrary notwithstanding.

Provided always, and be it enacted and declared, That notwithstanding any thing herein contained, every person who shall be guilty of the offence of embracery, and every Juror who shall wilfully or corruptly consent thereto, shall and may be, respectively, proceeded against by indictment or information, and be punished by fine or imprisonment, in like manner as every such person or Juror might have been before the passing of this Act.

Clause XLIII. Repealed by Act No. LXXXII.

And be it further enacted, That so much of the seventh Clause of the Act of Grenada, dated the twentieth day of April, One Thousand Seven Hundred and Sixty-seven, intituled, "An Act for establishing a Register's Office," as requires the verdict of twelve good and substantial freeholders; and also so much of the eighth and ninth Clauses of the Act of Grenada, numbered Thirty, in McCombie's Edition, dated the thirtieth day of April, One Thousand Seven Hundred and Eighty-four, in the Colonial Office at Westminster, as relates to the qualifications of Grand Jurors and Petty Jurors; and also so much of the tenth Clause of the same Act as relates to Jurors not attending or appearing when called in Court, or departing without leave, and the fines for the same; and also the twenty-fifth Clause of an Act, dated the twelfth day of December, One Thousand Seven Hundred and Ninety, intituled, "An Act for re-establishing a Court of Com-

mon Pleas and of Complaints," relating to the summoning of Jurors and their qualifications; and also the twenty-sixth Clause of the same Act, and the Twenty-seventh Clause of the same; and also an Act dated the twenty-fifth day of November, One Thousand Eight Hundred and Twenty-eight, intituled "An Act to enable all His Majesty's free born colored British subjects to sit as Jurors on all trials and Coroners' inquests within these Islands;" shall be and the same are hereby repealed.

Provided always, That nothing herein contained shall extend, or be construed to extend, to alter, abridge, or affect, any power or authority which the Court or Judges now have, or any practice or form in regard to trials by Jury, Jury process, Juries, or Jurors, except in those cases only where any such power or authority, practice or form, is repealed or altered by this Act, or is or shall be inconsistent with any of the provisions thereof, or to abridge or affect any privilege of the Legislature.

And be it enacted, by the Authority aforesaid, That for all services and duties required to be performed in and by this Act, by the Secretary and Clerk of the Crown, and the Provost Marshal General, for which no remuneration is specified in this Act for the performance of such duties, it shall be in the power of the Justices of the Supreme Court of Judicature, to regulate the same in all civil suits, and for all such duties and services in all criminal matters, or such as are of a public nature, shall be regulated and settled by the Committee of Public Accounts.

Clause XLV.
Nothing herein to be construed as affecting the powers and authority usually vested in the Court, otherwise than where the same is altered or repealed hereby.

Clause XLVI.
In cases of service to be performed by the Secretary and Clerk of the Crown, and by the Provost-Marshal-General under this act, where no remuneration is specified, Justices of the Court to regulate the same in civil suits, and those of a public nature to be settled by Committee of public Accounts.
Vide Act, No. 87.

SCHEDULE.

PRECEPT FOR RETURNING LISTS OF JURORS.

GRENADA.

To the Magistrates or Justices of the Peace, in the Parish of

By virtue of this Precept of the Supreme Court of Judicature of the said Island, unto you directed, you are hereby required to make out, before the next day of *December* next, two true lists in writing, in the form hereunto annexed, containing the names of all men, being natural born subjects of the King, or such persons who, at the cession of this Island, in the year One Thousand Seven Hundred and Eighty-three, took the oaths of allegiance to His Majesty the King, such subjects being within the ages of twenty-one and sixty years, residing within your parish, qualified to serve upon Juries—that is to say, of every such man being in possession of lands or tenements, in his own right or in right of another, or in trust for him or for another, or as agent for any person or persons absent from these lands, being worth the sum of two hundred pounds current money of the said Island, or as principal manager of any estate or plantation, or in possession or receipt of rents issuing out of such lands or tenements, or in such lands, tenements, and rents, taken together to the value of twenty pounds currency by the year, in fee simple, fee tail, or for the life of himself or some other person, or lands or tenements held by lease or leases for the sole term of seven years, or for any term of years determinable on any life or lives, to the value of twenty pounds by the year, or being a householder rated at the rent of twenty pounds by the year, or being merchants or traders, or principal clerks of merchants, or principal mechanics, or chief officers, being housekeepers, residing on estates or plantations; and you are required to make out two lists, in alphabetical order, one of the said lists to contain the names of men of the best note for service upon Grand Juries, and the other list to contain the names of respectable and intelligent men to serve upon Petty Juries, and to write the Christian and surname of every man at full length, and the place of his abode, his title, quality, calling, business, and the nature of his qualification, in the proper columns of the forms hereunto annexed, according to the specimens given in such columns for your guidance; and if you have not a sufficient number of forms, you

Vide Act, No. 117,
Clause 7.

must apply to the said Secretary and Clerk of the Crown for more ; and in order to assist you in making out the lists, you are to refer to and require of the Provost Marshal General, or in his absence, the acting Provost Marshal General, for a certified copy of the list of Freeholders, or other electors of members of the General Assembly of the Representatives of the People of this Island, which he holds for his guidance at elections of such Representatives, and take from thence the names of men so qualified ; and in making such lists, you are to omit the names of all Judges of the King's Courts in the said Islands ; all Members of the Honorable Council, the Clerk of the Council, and the Treasurer of the Island ; all Clergymen in Holy Orders ; all licensed Priests of the Roman Catholic faith, who shall have duly taken and subscribed the oaths and declarations required by law ; all persons who shall preach or teach in any congregation of Protestant Dissenters, whose place of meeting is duly registered, and who shall follow no secular occupation, except that of schoolmaster, producing a certificate of having taken the oaths, and subscribed the declaration required by law ; all Barristers at Law, or other admitted practitioners actually practising ; all Attornies, Solicitors and Proctors, actually practising ; all Officers of Courts actually exercising the duties of their respective offices ; all Coroners, Gaolers, and Keepers of Houses of Correction : all licensed Practitioners in Medicine and Surgery, actually practising ; all Masters of Vessels and duly qualified Pilots ; all Officers of Customs ; all Marshal's Officers, Constables and Parish Clerks ; and when you shall have made out such lists, you are authorized to order a sufficient number of copies thereof to be printed, the expense of which will be allowed you by the Colony ; and you are required on the first three Saturdays in *December* next, to fix a copy of such lists, signed by one of you, on the principal door of the Court-House, within your Parish, and also to subjoin to every copy a notice to the following effect, inserting the time and place :

Vide Act, No. 117,
Clause 7.

" Take notice, that all objections to the foregoing list, will be heard by the Justices of the Peace of this Parish, in petty sessions, on the — day of — at the hour of —," and you must allow any inhabitant of your Parish to inspect the original lists, or true copies thereof, during the first three weeks of *December* next, gratis ; and you are also further required to produce the said lists at such petty sessions ; and after the said lists shall be finally corrected and settled by such petty sessions, you shall return the said lists, forthwith, duly signed by the Justices of the Peace then holding the said petty sessions, unto the Secretary of the Supreme Court of Judicature, and Clerk of the Crown, and these several matters you are in no wise to omit, upon the peril that may ensue.

Given under our hands, at the Town of Saint George, in the said Island, this — day of —, in the year One Thousand Eight Hundred and Thirty.

FORM OF RETURN.

GRENADA ;

The Return of the Magistrates, or Justices of the Peace, in the Parish of — qualified to serve on Juries :

LIST OF GRAND JURORS.

Parish.	Christian and Surname at full length.	Title, quality, calling, or business.	Nature of qualification.

LIST OF PETTY JURORS.

Parish.	Christian and Surname at full length.	Title, quality, calling, or business.	Nature of qualification.

And be it further enacted, That if any Justice of the Peace shall refuse or neglect to make out any list required by this Act, so that the same shall not be made out at the time, or in the manner hereinbefore directed ; or shall wilfully omit out of such list any man whose name ought to be inserted, or shall wilfully insert the name of any man who ought to be omitted, or who shall wilfully insert therein a wrong description of the name, place of abode, title, quality, calling, business, or the nature of the qualification of any man, or shall refuse or wilfully neglect, in case the number of forms of return sent by the said Secretary and Clerk of the Crown shall be insufficient, to apply to that officer for a sufficient number, so that the lists may be made out at the time and in the manner hereinbefore directed ; or shall refuse or wilfully neglect to fix a copy signed, or to subjoin thereto such notice as hereinbefore required, on the principal door of the Court House of their respective parishes, on any of the Saturdays on which the same ought to be so fixed ; or shall refuse to allow any inhabitant of their respective parishes, to inspect such lists, or true copies thereof, *gratis*, at any reasonable time during the three weeks hereinbefore mentioned, or shall refuse or wilfully neglect to produce such lists at such petty sessions as aforesaid, or attend at such petty sessions, or any such adjournment thereof as aforesaid, every such Justice of the Peace offending in any of the foregoing cases, shall, for every such offence, forfeit a sum not exceeding fifty pounds currency, at the discretion of the Supreme Court of Judicature, before whom the defaulter shall be convicted, and the Secretary of the said Court and Clerk of Arraigns, shall forthwith cause the list in which such wrongful insertion or omission shall have occurred, to be corrected, and shall also give notice thereof to the Provost Marshal General, or acting Provost Marshal General who shall correct the Jurors' Book accordingly.

Clause XLVII.
Any Justice of the Peace refusing or neglecting to perform the duties required of them by this Act, shall for each such offence, forfeit a sum not exceeding £50, at the discretion of the Supreme Court of Judicature.

No. LXXXII.

An Act to amend an Act, intituled, " An Act for consolidating and amending the Laws relating to Jurors and Juries." [November 22, 1834.]—Left to its operation by Order in Council, dated 9th March, 1836.

WHEREAS it is expedient that the forty-third clause of an Act of these islands, intituled, " An Act for consolidating and amending the Laws relating to Jurors and Juries," should be repealed ; Be it, therefore, enacted, by His Excellency the Lieutenant-Governor, the Council and Assembly of the Island of Grenada and its Dependencies, and it is hereby enacted by authority of the same, that the forty-third clause of the said Act shall be, and the same is, hereby repealed.

Clause I.
43d clause of " Act for consolidating and amending the Laws relative to Jurors and Juries," repealed.

And be it further enacted, That from and after the passing of this Act, Clause II,

Statutes and parts of statutes repealed by 62nd clause of 6th Geo. IV., chap. 50, declared to be repealed in Grenada.

all the statutes and parts of statutes which by the sixty-second clause of the fiftieth chapter, or certain Act passed in the sixth year of the reign of His late Majesty, King George the Fourth, entitled, "An Act for consolidating and amending the Laws relative to Jurors and Juries," were declared to be thereby repealed, shall, from and after the commencement of the said Act, be, and the same are, hereby repealed, in respect of Grenada and the Grenadines, as far as any of the said statutes, or parts of the said statutes, have ever been considered to be in force, or in practice, within these islands.

Clause III.
So much of 14th clause of said Act as relates to 12th clause thereof, repealed.
Clause IV.
General venire facias to be issued by the Secretary for the trial of all causes, except complaints, ten days before meeting of the Court, directed to Provost Marshal General to summon 36 persons as Jurors four days before appearance shall be required.

And be it enacted, by the authority aforesaid, That so much of the fourteenth clause of the said Act, as relates to the twelfth clause of the said Act, shall be, and the same is hereby repealed.

Form of summons and manner of service; same persons may be summoned in Civil and Criminal cases.

And be it further enacted, That for the trial of all causes (except complaints), a general venire facias shall be issued by the Secretary, or his lawful deputy, for each session of the Supreme Court of Judicature ten days before the meeting of the said Court, directed to the Provost Marshal General, or acting Provost Marshal General, requiring him to summon thirty-six persons duly qualified to appear and serve as Jurors at the next sitting of the said Court, and every Juror shall be summoned four days before the day on which his appearance shall be required, and the summons shall be signed by the Provost Marshal General, or the acting Provost Marshal General, and run to this effect, viz.:—"Mr. A. B. (naming the Juror) appear as a Juror at the next sitting of the Supreme Court of Judicature," and shall be delivered to the Juror, or left at his place of abode; Provided always, that nothing herein contained shall prevent the Provost Marshal General, or his lawful deputy, from summoning the same persons under and by virtue of the venire facias to be issued for the trial of civil cases as shall or may be summoned under the precept for summoning Jurors to try criminal cases.

Clause V.
"Act for consolidating and amending the Laws relating to Jurors and Juries" to take effect immediately after the publication of this Act, but the formalities for making up the Jurors' Book not to be required until March, 1836, in respect to summoning Jurors which are to commence from the 1st week in September, 1835.

And be it further enacted, That the said Act, entitled, "An Act for consolidating and amending the Law relating to Jurors and Juries," shall commence and take effect immediately from and after the date and publication of this Act; Provided always, that until the first day of March, which will be in the year of our Lord, One Thousand Eight Hundred and Thirty-six, it shall and may be lawful for the Provost Marshal General, or acting Provost Marshal General, and he is hereby authorised to summon all persons duly qualified and liable to serve as Jurors by the said Act, without the formalities required for making up the Jurors' Book, which are to commence from the first week in the month of September next, in pursuance of the said Act, anything in the said Act, to the contrary thereof, in any wise notwithstanding.

No. LXXXIII.

An Act to alter the Vestry of the Town and Parish of Saint George, in Grenada. [May 18, 1835.]—Left to its operation by Order in Council, dated 9th March, 1836.

Preamble.

WHEREAS, it is expedient to alter the Vestry for the Town and Parish of Saint George, in Grenada; Be it therefore enacted, by His Excellency the Lieutenant-Governor, the Council and Assembly of Grenada, and it is hereby enacted by authority of the same, That so much of the fourth Clause of an Act, intituled, "An Act to alter and amend certain parts of an Act made and passed in the forty-eighth year of the reign of his present Majesty, for providing a support for the Clergy of this Government, and other purposes therein mentioned, commonly called the Clergy Act," as relates to the constituency of the Vestry of the Town and Parish of Saint George, shall be, and the same is hereby repealed.

Clause I.
So much of the 4th Clause of "Clergy Act" No. 42, as relates to the constituency of the Vestry of Saint George's Parish, repealed.

And be it enacted, That the Members of Council, and the Members of Assembly, resident in the Town or Parish of Saint George, being, or professing to be, members of the United Church of England and Ireland, and two Church Wardens to be elected, in manner hereinafter mentioned, together with the Rector, or officiating Minister of the Cure, if there shall be any, or any three of them, the Rector, or officiating Minister, if there shall be any, being one, shall be the Vestry of the Town and Parish of Saint George, and shall have full power and authority to regulate, direct, and perform all such matters and things as appertain, or of right belong to such Vestry, or as the Vestry appointed by the said recited Act were empowered to do.

Clause II.
Members of Council and of Assembly resident in the Town or Parish of Saint George, being members of the Church of England and Ireland, together with two Church Wardens, and the Rector or officiating minister of the Cure, or any three of them, including the latter, to be the Vestry.

And be it enacted, by the authority aforesaid, That immediately after the passing of this Act, the Rector, or officiating Minister of the Cure of the Town and Parish of Saint George, shall, by public advertisement, assemble the Members of the Vestry hereby appointed, and that such Vestry, or any two of them, with the Rector, or officiating Minister of the Cure, shall elect two persons out of the congregation of the Church of Saint George, paying pew rents in the same, to be Church Wardens, such appointments to endure for the remainder of the present year; and that annually during the month of January, a new election of Church Wardens shall take place in manner aforesaid, and in case of the death or departure from the Island of any Church Warden, another shall, as soon as possible, be elected, in manner as aforesaid, to fill up the vacancy occasioned by such death or absence.

Clause III.
Two persons of the congregation of the Church of Saint George, paying pew rents, to be elected annually as Church Wardens by the Vestry, which is to be summoned to assemble for such purpose by public advertisement of the Rector or officiating Minister.

No. LXXXIV.

An Act for establishing Boards of Health. [*May 16, 1835.*]—
Left to its operation by Order in Council, dated 9th March, 1836.

WHEREAS, it has been deemed expedient that Boards of Health should be re-established; Be it therefore enacted, by His Excellency the Lieutenant-Governor, the Council and Assembly of the Island of Grenada and its Dependencies, and it is hereby enacted by authority of the same, that from and after the passing of this Act it shall be lawful for the Lieutenant-Governor or Commander-in-Chief for the time being, to nominate and appoint suitable persons to constitute Boards of Health for the Town of Saint George, and for each of the different Parishes of this Island, and for the Island of Carriacou.

Clause I.
Commander-in-Chief, for the time being, to appoint suitable persons as Members of Boards of Health for the Town of St. George, Parishes of the Island, and for Carriacou.

And be it enacted, That the Members of the said Boards shall be authorized and empowered to visit and inspect any parts of the said Towns or Parishes within this Government, where they have reason to suppose any nuisances do exist, to give the necessary directions for cleaning out drains and water courses, filling up pools of stagnant water, and for adopting such other measures as they may deem necessary for promoting ventilation and cleanliness.

Clause II.
Members of the Boards to visit any parts of Town or Parishes, and to give directions for removing nuisances, clearing out drains, water courses, &c.

And be it enacted, That any owner, renter, or occupier of a house or premises in any of the Towns or Parishes aforesaid, who shall, after due notice being given, prevent or hinder such inspection of their houses and premises by any Members of the Board of Health, or shall not after inspection immediately carry into effect such orders as they may have received for the removal of nuisances, or for the adoption of such salutary precautions as the situation of their houses or premises may require, shall, on conviction before two or more Justices of the Peace, for every such offence forfeit and pay the sum of five pounds currency; Provided always, that when it shall appear to the Members of the Board of Health that from poverty, or dis-

Clause III.
Owners, renters, or occupiers of houses, &c., preventing inspection thereof, or not immediately carrying into effect the measures directed by Members of Boards of Health, to forfeit £5 for each offence; Provided, that when poverty of individuals shall prevent their so do-

ing, it may be ordered to be done at the public expense.

Clause IV.

Proprietors, renters, or occupiers of lots of land in the Towns to keep the parts of the streets or lanes adjoining their premises daily swept clean, under penalty of £2 currency for each offence.—Vide Act, No. 136, Clause 21.

tressed circumstances of individuals, their orders cannot be carried into effect, it may be lawful for the said Board to order the same to be done at the public expense.

And be it enacted, that every proprietor, renter, or occupier of a house or lot of land in each and every of the said Towns, shall keep those parts of the public streets or lanes which run along, adjoin, or bound their respective premises, daily swept clean, and shall suffer no filth or rubbish to remain thereon, under a penalty of two pounds currency for each and every such offence, on conviction thereof before two or more Justices of the Peace.

Clause V.

Road Commissioners to contract with persons for keeping clean such parts of the streets and lanes in Towns as bound Public lots, and to authorize the Marshal to bring to sale, any unclaimed lots in said towns, and to pay the proceeds into public Treasury. This provision not to extend to lots belonging to His Majesty, &c.—

And be it enacted, That the Road Commissioners for the Town of Saint George, and Parishes aforesaid, are hereby directed and empowered to contract with persons for keeping constantly clean such parts of the streets and lanes of the said Towns as adjoin and bound public lots, and that they be authorized and directed to issue their warrant, directed to the Provost Marshal General, or his lawful Deputy, to bring to public sale, after notice thereof being given by publication for three successive weeks in the Island newspapers, such unclaimed lots as there may be in the said Towns, and to pay the proceeds of the same into the Public Treasury for the uses of the Colony;—Provided always, that this provision shall not extend to any lot belonging to His Majesty, his heirs or successors.

Clause VI.

Persons throwing dead carcases, filth, or rubbish, into any other places than those appointed by the Road and Street Commissioners, to be fined thirty shillings for each offence, one half whereof to be paid to the informer.—

And be it enacted, That any person or persons found guilty of throwing any dead carcase, filth, or rubbish of any description whatever, into any of the public streets, lanes, squares, landing places, or into any other place or places, except those appointed by the Road and Street Commissioners, shall, on conviction before two or more Justices of the Peace, forfeit and be made to pay a fine not exceeding thirty shillings currency for each and every such offence, one half to be paid to the informer, and the other into the Public Treasury.

Clause VII.

Proceedings to be had when persons refuse to pay the fines and forfeitures incurred under this Act.

Vide Act, No. 112, Clause 22, and No. 136, Clause 21.

And be it enacted, That if any person or persons shall refuse to pay such fines and forfeitures as may be incurred by virtue of this Act, it shall and may be lawful for the Justices before whom they may have been convicted, to issue their warrant under their hands and seals, in the nature of an execution, directed to any constable of the said Towns and Parishes, requiring him to levy on the goods and chattels, or on the house or houses, lot or lots of land of such defaulter or defaulters, sufficient to pay the said fines or forfeitures, with all charges attending such execution; and the said goods and chattels shall within ten days, and such lands within twenty-one days after such levy, be sold by public auction or outcry unless sooner redeemed by payment and satisfaction of such execution, and all costs and charges thereon.

Clause VIII.

Persons convicted of keeping or allowing to be kept, upon their premises, within the Town of Saint George, any hog, pig, or shote, to be fined in a sum not exceeding £2 5s., for each offence, one half whereof to be paid to the informer.

And be it enacted, That it shall not be lawful for any person or persons whatsoever to keep, or allow to be kept, in their premises within the said Town of Saint George, or its precincts, any hog, pig, or shote, and whoever shall be found guilty of keeping, or allowing the same or either of them to be so kept, in their premises, in the said Town, or its precincts, shall on conviction by two or more Justices of the Peace, incur and pay a fine not exceeding two pounds five shillings currency for every such offence, one half to be paid to the informer, and the other half into the Treasury for the uses of the Colony.

Clause IX.

Manner in which Members of Boards of Health, or any two of them, are to proceed when parties refuse to remove nuisances, &c.

And be it enacted, That when the proprietor, renter, or occupier of any house, building, or premises in either of the said Towns or Parishes shall refuse or neglect to remove any nuisance, or to adopt such salutary precautions as the Members of the said Boards of Health, or any two of them may order and direct, it shall be lawful for the Members of the said Boards of Health, or any two of them, and they are hereby authorized and required

to cause the same to be forthwith done, and the expense thereof to be paid by the proprietor, renter, or occupier of such house, building, or premises, to be recovered by levy made on the goods, chattels, lands or tenements of such defaulter or defaulters, by warrant under the hands and seals of two or more Justices of the Peace, before whom such conviction may take place, in the nature of an execution, directed to any constable, requiring him to levy on the goods, chattels, lands or tenements of the said defaulter or defaulters, sufficient to pay the said expenses with all charges attending such execution, and the said goods and chattels shall within ten, and the said lands or tenements within twenty-one days, be sold at public auction or outcry, unless sooner redeemed by payment and satisfaction of such execution and all costs and charges thereon.

And be it enacted, That it shall not be lawful for any person to kill, butcher or slaughter, any cattle, pig, hog or shot in the Town of Saint George, except in such place or places as may be appointed by the Street Commissioners of the Town aforesaid for that purpose, under a penalty of five pounds, current money, for each and every offence.

Clause X.
Penalty of £5, for killing, butchering, &c., any cattle, pig, hog, or shot, in any other place in the Town of St. George than that appointed by the Street Commissioners.

And be it enacted, That any person or persons who shall have incurred, by conviction, any of the fines or forfeitures under this Act, and who may not be possessed of any goods or property on which to levy sufficient to satisfy the said fines or forfeitures, it shall and may be lawful for the said Justices to sentence the said offender or offenders to imprisonment in the common Gaol, with or without solitary confinement, at the discretion of the said Justices, for any space of time not exceeding fifteen days.

Clause XI.
Imprisonment to be substituted for fine in case of persons convicted under this Act, not being possessed of means of paying such fines.

No. LXXXV.

An Act to repeal certain parts of an Act passed on the sixth day of August, one thousand eight hundred and thirtyfour, for amending the Criminal Law. [October 5, 1835.]—Left to its operation by Order in Council, dated 3rd February, 1836.

WHEREAS it is expedient to repeal certain parts of the Act passed on the sixth day of August, one thousand eight hundred and thirty-four, for amending the Criminal Law; Be it therefore enacted, by the Lieutenant-Governor, the Council and Assembly of these Islands, That the first Clause of the said Act, intituled, "An Act to amend an Act, entitled, an Act to repeal an Act, entitled, an Act to assimilate the Criminal Code of the Island of Grenada and its Dependencies, as near as may be to the Criminal Code of England, relative to offences against the person, and to substitute this Act in lieu thereof," and also the Proviso contained in the seventh Clause of the same Act, shall be and the same are hereby repealed.

Preamble
First clause of Act, No. 80. and proviso in seventh clause of same Act, repealed.

No. LXXXVI.

An Act to repeal part of an Act of these Islands, intituled, "An Act for regulating the proceedings of the General Assembly on all Bills to impose any general tax on the inhabitants of these Islands, and to regulate the proceedings of the Council on all Bills whatever." [March 7, 1836.]—Left to its operation by Order in Council, dated 3rd August, 1836.

WHEREAS so much of an Act of these Islands, intituled, "An Act for regulating the proceedings of the General Assembly on all Bills to impose any

So much of the Act (No. 4.) for regulat-

ing the proceedings of the General Assembly, &c., as provides that no Bill whatever shall pass the Council, until all the Members thereof then in the said Island of Grenada, shall have been duly summoned to attend, hereby repealed.

general tax on the inhabitants of these Islands, and to regulate the proceedings of the Council on all Bills whatever," passed on the fourteenth day of October, one thousand seven hundred and sixty-seven, as provides, that no Bill whatever shall pass the Council until all the members thereof, then on and in the said Island of Grenada, shall have been duly summoned to attend the Council Board on that particular business, nor at any other time than the time mentioned and appointed in such summons, has been found inconvenient, and it is expedient that the same should be repealed: Be it therefore enacted, by His Excellency the Lieutenant-Governor and Commander-in-Chief, the Council and Assembly of the Island of Grenada and its Dependencies, and it is hereby enacted by the authority of the same, That so much of the said in part recited Act as provides that no Bill whatever shall pass the Council until all the members thereof, then on and in the said Island of Grenada, shall have been duly summoned to attend the Council Board on that particular business, nor at any other time than the time mentioned and appointed in such summons," shall be and the same is hereby repealed.

No. LXXXVII.

Vide Acts,
No. 148,
189.

An Act for recompensing the Holders of certain Public Situations with Salaries, in lieu of Fees, for their Public Services. [April 25, 1836.]—Left to its operation by Order in Council, dated 22nd December, 1836.

Clause I.
So much of an Act (No. 56.) passed on 19th September, 1836, intituled, "An Act for regulating the fees of persons holding certain public situations within this Government, as also the charges of Surgeons and Medical Practitioners for attending Coroners' Inquests," as fixes the fees of the Secretary of the Island and Supreme Court, the Provost Marshal General, or his

WHEREAS it is expedient that the holders of certain public situations in this Colony should be paid for their public services by salaries in lieu of fees: Be it therefore enacted, by His Excellency the Governor General, the Council and Assembly of Grenada and its Dependencies, and it is hereby enacted by authority of the same, That so much of an Act, passed on the nineteenth day of September, in the year one thousand eight hundred and twenty-six, intituled, "An Act for regulating the fees of persons holding certain Public Situations within this Government, as also the charges of Surgeons and Medical Practitioners for attending Coroners' Inquests," as fixes or establishes any fee or fees to be paid to the Secretary of the Island and of the Supreme Court of Judicature, to the Provost Marshal General or his lawful Deputy, to the Attorney General, or to any Coroner, for any duties or services to be performed by them, respectively, for or on account of the public, shall be and the same is hereby repealed.

Clause II.
Attorney General to have a salary of £600 per annum.

And be it enacted, That there shall be paid to the Attorney General, or other Chief Law Adviser, for the time being, of the Government of this Colony, a salary at and after the rate of six hundred and sixty pounds per annum, for all public services performable by him.

Clause III.
Secretary, Register, and Clerk of Council to have a salary of £1200 per annum.

And be it enacted, That there shall be paid to the officer holding the situations of Secretary, Register, and Clerk of the Council, in this Colony, a salary at and after the rate of one thousand two hundred pounds per annum, for all public services performable by him, and chargeable against the public.

Clause IV.
Provost Marshal General to have a salary of £1800 per annum.

And be it enacted, That there shall be paid to the Provost Marshal General or his lawful Deputy, a salary at and after the rate of one thousand eight hundred pounds per annum, for all public services performable by him, and chargeable against the public.

Clause V.
Coroners salary per annum—of Saint George's Town and Parish, £150—of St. John's and St.

And be it enacted, That there shall be paid to the Coroner for the Town and Parish of Saint George, in this Island, a salary at and after the rate of one hundred and fifty pounds per annum: to the Coroner of the United Parishes of Saint John and Saint Mark, a salary at and after the rate of

thirty pounds per annum ; to the Coroner for the Parish of Saint Patrick, a salary at and after the rate of fifty pounds per annum ; to the Coroner for the Parish of Saint Andrew, a salary at and after the rate of sixty-six pounds per annum ; to the Coroner for the Parish of Saint David, a salary at and after the rate of thirty pounds per annum ; and to the Coroner of the Island of Carriacou and the Grenadines, a salary at and after the rate of thirty pounds per annum, for all public services performable by them, respectively.

And be it enacted, That the Provost Marshal General, or his lawful Deputy, shall have power to contract quarterly for the maintenance of the prisoners in the Common Gaol, in the Town of Saint George, and payment for the same shall be made quarterly at the public Treasury ; Provided always, That every such contract shall be laid before the Council and Assembly of these Islands at the next meeting after the making of any such contract.

And be it enacted, That this Act shall be deemed and taken to be a Public Act, and all Judges, Justices, and others, are to notice the same accordingly.

And be it enacted, That so much of the second clause of an Act of these Islands, intituled, " An Act to alter and reduce into one Act two several Acts of the Legislature, for the establishment and regulation of a Tread-Mill in the Town of Saint George," as provides a salary for the Superintendent of the said Tread-Mill, shall be and the same is hereby repealed : And it is hereby enacted, That the Provost Marshal General shall provide the said Superintendent at his own expense.

Mark's, £30—of St. Patrick's Parish, £50—of St. Andrew's Parish, £66—of St. David's Parish, £30—of Carriacou and Grenadines, £30.

Clause VI.
Provost Marshal General to contract quarterly for maintenance of prisoners in St. George's Gaol, and payment to be made at Treasury. Contracts to be laid before the Council and Assembly.

Clause VII.
Act declared to be a Public Act.

Clause VIII.
So much of the Tread-mill Act as provides a salary for the Superintendent of Saint George's Tread-mill repealed, and Provost Marshal General to provide such Superintendent at his own expense.

No. LXXXVIII.

An Act for introducing a supply of Water into the Town of Saint George, and for facilitating the watering of the Shipping at the Port of Saint George. [April 25, 1836.]—Left to its operation by Order in Council, dated 22nd December 1836.

Amended by Act, No. 88. (2.)

WHEREAS it hath been resolved in the General Assembly of these Islands, that a natural supply of water throughout the Town of Saint George would greatly contribute to the health and cleanliness thereof, and would operate as a security against the general spread of fires, and the destruction and loss of property ; and that the expenses of bringing such supply of water into the said Town, agreeably to a plan which hath been approved of by the Council and Assembly of these Islands, shall be defrayed by a loan advanced from the Public Treasury, to be repaid, with interest, by the appropriation of the yearly revenue of the canal duties, and an annual assessment on the rental of all houses in the said Town of Saint George : And whereas a contract hath been entered into by a Joint Committee of the said Council and Assembly, thereto duly appointed and authorized, with Alexander M'Combie, of the said Town, for bringing the water of the springs rising on the south side of Mount George Estate, commonly called the Priests Spring, into the said Town, at or for the price or sum of four thousand six hundred pounds, current money of these Islands, one thousand five hundred pounds of which sum hath, in pursuance of a joint resolution of the said Council and Assembly, been paid to the said Alexander M'Combie in advance, he having given bond to His Majesty, with security, for the due performance of such contract, and the remainder of the said sum is to be paid to the said Alexander M'Combie on finishing the work, the public also affording to him, in the execution of the said work, the pipe which now supplies the shipping with water, and the materials of the old aqueduct, with authority for passing the pipe throughout the line, and a space for a cistern at the

Preamble.
Recites Resolution of the Council and Assembly, with respect to the propriety of getting a supply of water introduced into the Town of St. George.

Terms of contract entered into with Alex. M'Combie, for bringing such supply of water into the Town.

Long Room : And whereas it is expedient that the said resolution should be carried into execution, and that Commissioners should be appointed to superintend the completion of the said contract ; and for the purposes hereinafter mentioned, We, therefore, Your Majesty's most loyal and obedient subjects, the Governor of the Island of Grenada and the Grenadines thereon dependent, the Members of His Majesty's Council and the Representatives of the people of the said Islands in General Assembly convened, pray Your Most Excellent Majesty that it may be enacted and ordained :

Clause I.
Act of 24th May,
1799, for establish-
ing a Canal for
watering the ship-
ping, &c., repealed.

And be it and it is hereby enacted and ordained, by the Authority of the same, That the Act passed on the twenty-fourth day of May, in the year One Thousand Seven Hundred and Ninety-nine, intituled, "An Act for establishing a Canal, for the purpose of facilitating the watering of His Majesty's Ships on this station, as well as of the Merchant Vessels in the Port of Saint George ; for providing a fund for the support and improvement of the same ; and for appointing Commissioners to carry the same into execution," shall be and the same is hereby repealed.

Clause II.
Honorable Matthew
Davies, Honorable
Daniel Gibbs, Robert
Newbold, Esq.,
Alexander Baillie,
Esq., Lewis Hoyes,
Esq., James Smith,
Esq., Richard Steele,
Esq., and Michael
Bailey, Esq., to-
gether with the Har-
bour Master for the
time being, appoint-
ed Commissioners
for carrying this Act
into execution.

And be it enacted, that the Honorable Matthew Davies, the Honorable Daniel Gibbs, Robert Newbold, Alexander Baillie, Lewis Hoyes, James Smith, Richard Steele, and Michael Bailey, Esquires, and their successors, to be nominated and appointed in manner hereinafter mentioned, and the Harbour Master for the time being, for the Port of Saint George, shall be, and they are hereby appointed, Commissioners for carrying the purposes of this Act into execution ; and all acts, matters, and things, authorized or necessary to be done and executed by the said Commissioners, in pursuance of this Act, may be done and executed by any three of them ; and the same shall be as valid and effectual, and shall have the same force and effect as if such acts, matters, and things had been done and executed by all the said Commissioners.

Clause III.
Governor or Officer
administering the
Government may,
in case of vacancy
occurring among
the Commissioners,
appoint others to
succeed to such va-
cancy or vacancies.

And be it enacted, That it shall and may be lawful for the Governor, or the Officer for the time being administering the Government of Grenada, from time to time, and at any time hereafter, to nominate and appoint any other fit person or persons to be a Commissioner or Commissioners in the room of the said Matthew Davies, Daniel Gibbs, Robert Newbold, Alexander Baillie, Lewis Hoyes, James Smith, Richard Steele, and Michael Bailey, or any or either of them, their or any of their successors ; and every such new Commissioner or Commissioners so to be appointed shall have the like powers and authorities for putting this Act into execution in all respects whatsoever, as if he or they were named and appointed a Commissioner or Commissioners in and by this Act.

Clause IV.
Commissioners to
superintend the
work, and see to
the fulfilment of
contract.

And be it enacted, That it shall be lawful for the said Commissioners, for executing this Act, and they are hereby authorized and empowered to superintend the execution and see to the due fulfilment of the said contract by the said Alexander M'Combie.

Clause V.
A plan to be pre-
pared before the
work commences,
showing the streets,
&c., through which
the pipe for bring-
ing water is to be
laid—the said plan
to be authenticated
by the signature of
the Speaker of the
Assembly and lodg-
ed in the Secretary's
Office.

And be it enacted, That before the work of the said contract shall be commenced, the Commissioners for executing this Act shall, and they are hereby required to cause or procure to be prepared a map or plan describing the lines of the streets, squares, ways, passages, and places, and the lands and premises through which the pipe for bringing the water into the said Town of Saint George is proposed to be laid or carried, for the purpose of being deposited in the Secretary's Office ; and that the said map or plan, after the same shall be authenticated by the signature of the Speaker of the Assembly, shall be deposited with and shall remain in the custody of the Secretary of the Island, to the end that all persons may, at all seasonable times, have liberty to inspect the same and to obtain extracts or copies thereof at their will and pleasure, such persons, except the said Commissioners for executing this Act, or any or either of them, paying the sum of two shillings and sixpence for every such inspection, the sum of fifteen shillings for every such extract, and the sum of three pounds six shillings for every such copy.

Fees to be paid by
persons desiring to
inspect the plan, or
obtaining extracts
or copies thereof.

And be it enacted, That it shall be lawful for the said Commissioners for executing this Act, if they shall so think fit, on the application of the said Alexander M'Combie, to authorize any deviation from the lines described in the said map or plan; Provided, that every such deviation shall be considered as part of the original plan and contract of the said Alexander M'Combie.

Clause VI.
Commissioners empowered to authorize a deviation from the original plan at the instance of Mr. M'Combie.

And be it enacted, That it shall be lawful for the said Commissioners for executing this Act, and they are hereby empowered to authorize the said Alexander M'Combie to lay pipes in, through, across, under, or along the several lands and premises described in such map or plan, and in conformity to the lines described in such maps or plan, and to such deviation therefrom as herein mentioned, and to remove and relay the pipe which now supplies the shipping at the said Port of Saint George with water, and also to make, excavate, and build a reservoir, or cistern, at or near the Long Room, in the said Town of Saint George, and for such purpose it shall be lawful for the said Commissioners, acting in the execution of this Act, and for their surveyor or surveyors, and for the said Alexander M'Combie and his workmen, under the direction of the said Commissioners, from time to time to enter upon the lands and premises through or under which the said line of pipe is intended to pass, in such manner as the said Commissioners acting in the execution of this Act shall think necessary or proper, without being deemed a trespasser or trespassers, and without being subject or liable to any fine, penalty, or punishment, for entering or continuing upon any part or parts of such lands and premises, for the damages that shall be thereby occasioned; and the said Commissioners acting in the execution of this Act shall and they are hereby authorized and empowered, during the laying of the said pipes, to stop up the thoroughfare in all or any parts of the said streets and other places.

Clause VII.
Commissioners empowered to authorize Mr. M'Combie to lay the pipes, to make a cistern or reservoir near the Long Room, as described in the plan, and if necessary, to deviate from the original intention, also to use the pipe which now supplies the shipping, and to remove the same. Commissioners, together with Mr. M'Combie, and his workmen, to enter upon any lands or premises through which the pipe is to run, as the said Commissioners may think fit, without being deemed trespassers or incurring any penalty — and the Commissioners, while the pipes are laying, may stop up the pipe is to run.

And be it enacted, That in case any buildings, wharfs, lands, tenements, or premises, shall be damaged or injured in the execution of this Act, then and in such case the owners, or other persons interested in the said buildings, wharfs, lands, tenements, and premises, which shall be so damaged, shall be entitled to claim a fair and reasonable compensation for any such injury, loss, or damage, to be agreed upon with the said Commissioners, and to be paid, on their certificate, out of the Public Treasury of these Islands, and in case of disagreement as to the amount of such compensation, or any apportionment thereof, the same shall be enquired into and ascertained upon the oaths of a Jury of twelve indifferent men of the said Island, to be summoned for that purpose by the Provost Marshal General, or his lawful Deputy, upon the warrant of the said Commissioners; and the said Provost Marshal General, and his lawful Deputy, is and are hereby empowered and required, from time to time, as occasion shall require, to summon and call before the said Jury, and examine on oath, all and every person or persons whomsoever shall be thought necessary and proper to be examined as a witness or witnesses touching or concerning the premises, which oath the said Provost Marshal General, and his lawful Deputy, is and are hereby authorized to administer; and the said Provost Marshal General shall order and cause the said Jury to view the places in question, if there be occasion, and use all other lawful ways and means, for his and their better information, in the premises, as the said Provost Marshal General, or his lawful Deputy, shall think fit; and after the said Jury shall have enquired of, and ascertained, and settled such damage, recompense, and satisfaction, the said Provost Marshal, or his Deputy, shall thereupon certify the sum so assessed by the said Jury to the Public Treasurer, by whom the same shall be paid to the said owners, or other persons interested therein as aforesaid, according to such verdict or inquisition of the said Jury, which said verdict or inquisition so had and made shall be final, binding and conclusive to all intents and purposes upon and against all persons and parties whatsoever.

Clause VIII.
Commissioners authorized to certify reasonable compensation for any damage to be done, under this Act, to wharfs, buildings, &c., the same to be paid at the Public Treasury — and in case of disagreement as to amount of compensation, the same to be ascertained by a Jury of twelve men, to be summoned by the Provost-Marshal-General, under Commissioners warrant, for such purpose. Proceedings to be had thereon.

Provost-Marshal-General to certify the award of the Jury and sum assessed to the public Treasurer, by whom the said sum is to be paid to the owners or persons interested, when verdict is to be final.

And be it enacted, That for the summoning and returning such Jury or

Clause IX.

Commissioners empowered to issue their warrants for the summoning of a Jury as aforesaid—and proceedings of the Provost-Marshal-General thereon.

Juries, it shall be lawful for the Commissioners appointed for the purposes of this Act, and they are hereby empowered to issue out their warrant or warrants to the said Provost Marshal General, or his lawful Deputy, thereby commanding him to impanel, summon, and return an indifferent Jury of twenty-four persons, to appear at such time and place as in such warrant or warrants shall be appointed; and the said Marshal or his Deputy, is and are hereby required to impanel, summon, and return twenty-four such persons as aforesaid; and out of the persons so impanelled and returned, or out of such of them as shall appear upon such summons, the said Marshal, or his Deputy, shall swear, or cause to be sworn, twelve, who shall be the Jury for the purpose aforesaid; and in default of a sufficient number of Jurymen, the said Marshal, or his Deputy, shall return other honest and indifferent men of the standers-by, or that speedily can be procured, to attend that service, to the number of twelve; and all persons interested shall have their lawful challenges against any of the said Jurymen as in ordinary cases of the like nature.

Clause X.

Powers of the said Commissioners in respect to the maintenance and preservation of the pipes, cisterns, &c., under this Act.

And be it enacted, That the preservation, improvement, maintenance, and direction of the pipes, cisterns, reservoirs, fountains, plugs, and every other part of the said works so to be made, and also the preservation, maintenance, and direction of the present line of pipe, until the same shall be altered or removed by the order of the said Commissioners, shall be and the same are hereby vested in the said Commissioners, who are hereby authorized and empowered to expend, out of the funds hereinafter appointed for that purpose, a sum not exceeding one hundred pounds in each and every year, to be applied towards keeping the whole in proper repair.

Clause XI.

Commissioners may appoint one or more proper persons to superintend the pipes, &c., with authority to remove obstructions, and to prevent the washing of clothes, bathing, or watering of horses, &c., and any misuse or abuse of the water.

And be it enacted, That the said Commissioners for executing this Act shall and may, and they are hereby empowered to appoint one or more proper person or persons, removable at their pleasure, to superintend the said pipes, cisterns, reservoirs, and works, at an expense not exceeding the sum of one hundred pounds by the year; and the person or persons so appointed as overseer or overseers, superintendent or superintendents, of the said works, shall be and he and they are hereby directed and empowered to remove all obstructions that may impede the running of the water, and to prevent the washing of clothes, bathing, or watering of horses, mules, cattle, or other stock, at any part of the same, except such as may be appropriated by the said Commissioners for those purposes, and also to prevent any waste, misuse, and abuse of the water, or injury to any part of the said pipes, cisterns, reservoirs, fountains, plugs, or any part of the said works.

Clause XII.

Penalty and punishment of persons offending against the provisions of this Act, in respect to impeding the running of the water, or washing of clothes, bathing, &c., &c.

And be it enacted, That if any person or persons shall be duly convicted before any two of His Majesty's Justices of the Peace, upon the oath of any one or more credible witness or witnesses, of impeding the running of the said water, or washing clothes, bathing, or watering any horse, mule, ox, cow, calf, ass, or other cattle or stock, at any part of the said works, except as aforesaid, or of wasting, misusing, or committing any abuse of the said water, or of obstructing the said overseer or overseers, superintendent or superintendents, in the execution of his or their duty or duties in preventing the same, or of wilfully injuring any part of the said pipes, cisterns, reservoirs, fountains, plugs, or works, such person or persons so offending shall forfeit and pay such sum of money not exceeding ten pounds, current money, for every such offence as shall be imposed by the said Justices, and shall stand committed, by warrant under the hands and seals of the said Justices, for any term not exceeding one month, unless in the mean time such offender shall pay and satisfy the said fine; and in case the commission of any of the said offences shall be attended with any damage to the pipes, cisterns, reservoirs, fountains, plugs, or other parts of the said work, it shall and may be lawful to and for the said Justices to issue their warrant, directed to any two or more fit and proper persons, to view, ascertain, and report the amount of such damages upon oath, which

In cases of damage being done to any of the pipes, cisterns, or reservoir, &c., how the Commissioners are to proceed against the offending party.

oath the said Justices, or any one of them, are and is hereby authorised to administer ; and such Justices shall, thereupon issue their warrant, under their hands and seals, directed to any Constable requiring him to demand and receive the amount of such damages so ascertained from any such offender, and upon neglect or refusal to pay the same, to levy the amount, with all costs, upon the goods and chattels of such offender, and to sell the same within ten days of such levy.

Clauses XIII, XIV, and XV, Repealed by No. LXXXVIII.(2) Clause VI.

Clauses XVI, and XVII, expired.

And be it enacted, That this Act shall be deemed and taken to be a public Act, and all Judges, Justices, and Jurors, are to take notice thereof accordingly.

Clause XVIII.
Declared a Public Act.

No. LXXXVIII. (2.)

An Act to alter and amend an Act entitled, " An Act for introducing a supply of water into the Town of Saint George, and for facilitating the watering of the Shipping, at the Port of Saint George." (*Dated May 16, 1843.*)—Left to its operation by Order in Council, dated 23rd August, 1843.

Clauses I to V, expired.

And whereas it is expedient to repeal the thirteenth, fourteenth and fifteenth Clauses of the said hereinbefore recited Act ; [*an Act for introducing a supply of water into the Town of Saint George, and for facilitating the watering of the Shipping in the Port of Saint George.*] Be it enacted, by the authority aforesaid, that the said thirteenth, fourteenth and fifteenth Clauses of the said Act, are hereby repealed.

Clause VI.
13th, 14th, and 15th clauses of Act No. 88 repealed.

And be it enacted, by the Authority aforesaid, That it shall be lawful for the Public Treasurer or his lawful Deputy, and he is hereby required and directed, from and after the passing of this Act, to demand, collect, and receive from the Master of every vessel clearing out at the Custom-House of these Islands, (the vessels belonging to the Royal Mail Steam Packet Company, or vessels employed bringing coals for the same, only excepted), the sum of two pence per ton, of the registered burden of every such vessel ; Provided always, that no vessel under the burthen of sixty tons, and registered as belonging to owners in this Colony, shall be liable to pay such rate or duty but once in each and every year.

Clause VII.
Two-pence per ton on the registered burthen of every vessel clearing this port, to be paid into Public Treasury, with certain exceptions.

And be it enacted, That the Public Treasurer, or his lawful Deputy, shall be authorized and required, from and after the passing of this Act, to demand, collect, and receive, from the Master of every vessel employed as a drogher, within these Islands, once in every year, the sum of two pence per ton of the registered burthen of every such vessel, the same to be paid previous to the taking out, or renewing the droghing pass of every such vessel : Provided always, that no Master of a vessel employed as a drogher, shall be obliged to pay the aforesaid rate or imposition, on clearing out for any other port during the continuance of the said droghing pass.

Clause VIII.
Droghers to pay two pence per ton on registered burthen, once in every year, on taking out droghing pass.

Proviso.
Droghers not liable to such duty on clearing for another port, during continuance of droghing pass.

And be it enacted, That it shall not be lawful for the Officers of Her Majesty's Customs to clear out any vessel, or to sign any droghing pass, until a certificate shall be produced to them under the hand of the Public Treasurer, that the said duties or rates respectively, have been paid,

Clause IX.
Officers of Customs not to clear out vessels, &c., without a certificate that such duty has been paid.

No. LXXXIX.

Vide Acts,
No. 136.
140.
154.
180.

An Act for establishing a Police and to regulate the same. [June 2, 1836.]—Left to its operation by Order in Council, dated 22nd December, 1836.

Clause I.

A sufficient number of fit and able men not exceeding forty, to be appointed and sworn in as constables under this Act, and to have all the powers, authorities and privileges which any other constable now has, or may have by any Law or Statute made, or to be made in this colony. Vide Act, No. 154, Clauses 6 and 7.

WHEREAS the present Police Establishment has been found inadequate to the prevention and detection of crime, by reason of the frequent unfitness of the individuals employed, the insufficiency of their number, and the want of connexion and co-operation of the said Police Establishment; And whereas it is necessary to substitute a new and more efficient system of Police in lieu of such Establishment; Be it therefore enacted, by His Excellency the Governor General and the Council and Assembly of the Island of Grenada and its Dependencies, and it is hereby enacted by authority of the same, That a sufficient number of fit and able men, not exceeding forty, shall, from time to time, by the directions of the Governor, be appointed retained, and employed as Constables, and shall be sworn in by any Justice of the Peace to act as Constables, for preserving the peace and preventing robberies and other felonies, and apprehending offenders against the Laws; which Constables so sworn in shall, within the said Island of Grenada and its Dependencies, have all such powers, authorities, privileges, and advantages as any Constable duly appointed now has or hereafter may have, by virtue of any Law or Statute now made or hereafter to be made, and shall obey all such lawful commands as they shall from time to time receive from any special or other Justice or Justices for the apprehending offenders, or otherwise conducting themselves in the execution of their offices.

Clause II.

Governor to appoint a Superintendent of Police, who shall be sworn in as a constable, and reside in the Town of St. George, and shall, under the orders of the Magistrates, superintend the Police Force, and see the commands of the special and other

And be it further enacted, That it shall be lawful for His Excellency the Governor from time to time to nominate and appoint a Superintendent of Police, who shall be sworn in as a Constable, and shall be resident in the Town of Saint George, whose duty it shall be, under the orders and directions of the Magistrates, to superintend the Police Force to be appointed by virtue of this Act, and to see carried into effect all such lawful commands as may be ordered and directed by any special or other Justice or Justices of the Peace; and it shall be lawful also for the Governor to dismiss such Superintendent at any time, and appoint another in his place.

Clause III.

Superintendent to receive a salary at the rate of £500 currency, per annum. Vide Act, No. 148.

And be it further enacted, That the said Superintendant shall be paid and receive a salary from the Public Treasurer at the rate of five hundred pounds currency per annum, payable quarterly, for and during the time he shall have performed the duties of his office, by order of the Justices in Session.

Clause IV.

Repealed by Act, No. 136, Clause 37.

And be it further enacted, That every person employed as a Chief Constable under this Act, shall receive a salary at and after the rate of nine pounds per month, and every other Constable to be employed under the authority of this Act, shall receive a salary at and after the rate of seven pounds four shillings per month, payable quarterly at the Public Treasury of these Islands, by order of the Justices in Session, which salary shall be in lieu of all fees whatsoever.

Clause V.

Justices of the Peace to hold special sessions on the first Wednesday in every month, or oftener, if necessary, at the Court-House, in the Town of St. George, when not less than five being present, they are

And be it further enacted, That the Justices of the Peace of the said Island shall hold a special Session, for the purposes herein mentioned, on the first Wednesday in every month, or oftener, if necessary, at the Court House in the Town of Saint George, at which Session not less than five Justices shall be present, and the said Justices, or the majority of them in Session assembled, may, from time to time, subject to the approbation of the Governor, frame such orders and regulations as they shall deem expedient, relative to the general government of the men to be appointed members

of the Police Force under this Act, the places of their residence and station, the classification, rank, and particular service of the several members, their distribution and inspection, and the description of arms, accoutrements, and clothing to be carried and worn by them, and also such other orders and regulations relative to the said Police Force, as the said Justices in Session shall from time to time deem expedient for preventing neglect or abuse and for rendering such Force efficient in the discharge of all its duties; and the said Justices in Session may at any time suspend or dismiss from his employment any man belonging to the Police Force, whom they shall think remiss or negligent in the discharge of his duty, or otherwise unfit for the same; and when any man shall be so dismissed, or cease to belong to the said Police Force, all powers vested in him as a Constable by virtue of this Act shall immediately cease and determine.

(subject to the approbation of the Governor) to frame regulations for the conduct of the Policemen, &c., &c.

Justices may suspend or dismiss any Policemen whom they shall deem remiss or negligent.

And be it further enacted, That if any person licenced to retail Spirituous Liquors or any mixture thereof shall knowingly harbour or entertain any man belonging to the said Police Force, or permit such man to abide or remain in his or her house, shop, room, or other place, during any part of the time appointed for his being on duty, every such person so licenced as aforesaid, being convicted thereof before any two Justices, shall, for every such offence, forfeit and pay such sum not exceeding ten pounds, as they shall think meet, and in default of payment shall suffer imprisonment, with or without hard labour, for any time not exceeding three months.

Clause VI.

Persons retelling spirituous liquors, harbouring or entertaining in house any Policeman, or permitting him to remain any part of the time when he ought to be upon duty, to forfeit a sum not exceeding £10, or suffer imprisonment, with or without hard labor, for a term not exceeding three months.

And be it further enacted, That it shall be lawful for any man belonging to the said Police Force, during the time of his being on duty, to apprehend all loose, idle, and disorderly persons whom he shall find disturbing the public peace, or whom he shall have just cause to suspect of any evil designs, and all persons whom he shall find between sunset and sunrise, lying in any highway, yard, or other place, or loitering therein, and not giving a satisfactory account of themselves, and to deliver any person so apprehended into custody at the nearest cage or watch-house, in order that such person may be secured until he can be brought before some Justice of the Peace, to be dealt with according to Law.

Clause VII.

Policemen while on duty to apprehend all idle, disorderly, and suspected persons, and persons whom they shall find loitering and lying about, and not able to give a satisfactory account of themselves.

And be it further enacted, That if any person shall assault or resist any Constable belonging to the said Police Force, in the execution of his duty, or shall aid or incite any person so to assault or resist, every such offender, being convicted thereof before two Justices of the Peace, shall, for every such offence forfeit and pay such sum not exceeding ten pounds, as the said Justices may think meet, and in default of payment shall suffer imprisonment, with or without hard labour, for any time not exceeding three months.

Clause VIII.

Penalty for assaulting or resisting a Police Constable, or for inciting or assisting others so to do.

And be it further enacted, That if any Constable appointed and sworn in under this Act shall be guilty of any disobedience of orders, neglect of duty, or of any misconduct, as such Constable, and shall be convicted thereof before two Justices of the Peace, he shall forfeit any sum not exceeding ten pounds, and in default of payment shall suffer imprisonment, with or without hard labour, for any time not exceeding three months; Provided always, that nothing herein contained shall prevent any such person from being proceeded against by way of indictment for any offence committed by him as Constable, so as that no person shall be proceeded against both by indictment, and also under this Act for the same offence.

Clause IX.

Constables under this Act guilty of disobedience of orders, neglect, or other misconduct, to forfeit a sum not exceeding £10 or to be imprisoned, with or without hard labor, for a term not exceeding three months.

Proviso.
Nothing herein contained to prevent proceeding by indictment against any such constable.

And whereas accidents often happen and damage is frequently done in streets and highways by the negligence or wilful misbehaviour of persons driving carriages or vehicles thereon, and the Laws now in force have been found insufficient for the due protection of His Majesty's subjects; Be it therefore enacted, That if the driver of any carriage, or vehicle, of any kind whatsoever, shall ride upon any such carriage or vehicle, or on any of the horses, mules, or cattle drawing the same, not having some person on foot

Clause X.
Provisions and regulations for the conduct of persons driving carriages or vehicles of any kind with horses, mules, or cattle, and penalties for (by negligence, wilful misbe-

haviour or other misconduct causing hurt or damage to any person or property, or obstructing the free passage in any street or high-way, &c.
Vide Act, No. 136, Clause 17.

or on horseback to guide the same (such carriage or vehicle as are commonly driven or conducted by some person holding the reins of the horse or horses excepted), or if the driver of any carriage or vehicle whatsoever, or any person riding, shall, by negligence, wilful misbehaviour, or any other misconduct, cause any hurt or damage to any person or property, being upon any street or highway, or if the driver of any carriage or vehicle whatsoever, shall wilfully be at such distance from such carriage or vehicle, that he cannot have the direction and government of any horse or mule, or horses or mules, or cattle drawing the same, not having employed some proper person to take care of the same, or shall by negligence, wilful misbehaviour, or any other misconduct, interrupt the free passage of any other carriage or vehicle, or of His Majesty's subjects, or shall obstruct any street or highway, and being required by any Constable or Peace Officer to pass on or remove, shall continue to obstruct the same, every person so offending in any of the cases aforesaid, and being convicted by any Justice of the Peace of any such offence, either upon confession, or by the oath of a credible witness, shall, for every such offence, forfeit any sum not exceeding five pounds, and in every case where any such hurt or damage shall have been caused as aforesaid, shall further pay such a sum not exceeding ten pounds, as shall appear to the said Justice to be a reasonable compensation to the person so aggrieved or injured, and the evidence of such person shall be admitted in proof of the offence; Provided always, That if the person so aggrieved or injured shall have been the only witness examined in proof of the offence, such sum so ordered as compensation shall be paid and applied in the same manner as a penalty, and in default of payment of such penalty and of such compensation, if ordered immediately, or within such time as such Justice shall appoint, such Justice shall, and may commit such offender to any public gaol, or house of correction, to be there imprisoned with or without hard labour, for any term not exceeding two months, unless such penalty, together with the compensation if ordered, be sooner paid; and every such offender shall, and may, by the authority of this Act, with or without any warrant, be apprehended by any person who shall see such offence committed, and shall be immediately conveyed or delivered to a Constable or other Peace Officer; Provided, that where the sum of ten pounds by way of compensation for injury done to a party shall, in the judgment of such party, be inadequate for the hurt or damage sustained, the Justice shall abstain from making any award of compensation, and it shall be lawful for such party to pursue his remedy at Law.

Proviso.
In respect to when the party injured is the only witness and where the sum awarded by this Act as compensation shall, in the opinion of such party, be inadequate for the injury done.

Clause XI.
Police Constables, &c., may stop and search any boat, canoe, cart, or carriage, which there may be suspicion of conveying goods unlawfully obtained, and to apprehend persons concerned in the same, and who, upon not being able satisfactorily to account therefor, are to be deemed guilty of a misdemeanor and punished accordingly; such boat, &c., upon conviction of party, to be forfeited and disposed of as hereinafter directed.
Vide Act, No. 136, Clauses 9 and 10.

And be it further enacted, That it shall be lawful for any Police Constable, or any Peace Officer to stop, search, and detain in some place of safety any boat or canoe, which there shall be reason to suspect of having on board or conveying by water, and also any cart or carriage which there shall be reason to suspect of having or conveying on land, any goods, matter, or thing stolen or unlawfully obtained, and also to apprehend, search, and detain any person who may be reasonably suspected of having or conveying in any manner any goods, matter, or thing stolen or unlawfully obtained, and to convey every such person as soon as conveniently may be, together with such goods, matter, or thing, before some Justice of the Peace; and if such person shall not give an account, to the satisfaction of such Justice, how he or she came by the same, such person shall be deemed and adjudged guilty of a misdemeanor, and shall suffer as is hereinafter mentioned; and such boat or canoe, cart or carriage, if the same shall be the property of the person or persons so carrying any such goods, matter, or thing, or the property of any other person or persons knowing the same was intended to have been so illegally used, shall, upon conviction, be forfeited and disposed of as is hereinafter directed.

Clause XII.
Upon information given upon oath,

And be it further enacted, That if on information given on oath it shall appear to any Justice that there is reasonable cause for suspecting that any

goods, matter, or thing stolen, or unlawfully obtained are, or is concealed, or otherwise lodged in any dwelling house, warehouse, yard, garden, or any other place, it shall be lawful for such Justice, by special warrant under his hand and seal, directed to any Police or other Constable as aforesaid, to cause every such place to be entered and searched, at any time of the day or by night, if power for that purpose be especially given in and by such warrant, and the said Justice, if it shall appear to him necessary, may moreover empower such Constable with any such assistance, as to the said Justice may appear, or by such Constable may be found necessary (such Constable having previously made known such his authority), to use force for the effecting of such entry, whether by breaking open doors or otherwise, and if upon search thereupon made, any such goods, matter or thing, shall be found, then to convey the same forthwith to and before a Justice, or to guard the same on the spot while the offenders are taken before a Justice, or otherwise dispose thereof in some place of safety, subject to the orders of a Justice, in manner above mentioned, and moreover to apprehend and convey before the said Justice the person or persons in whose house, lodging, or other place, the same shall so have been found, as also every other person found in such house, lodging, or place, who shall appear to have been privy to the depositing of such goods, matter, or thing in such place, knowing or having reasonable cause to suspect the same to have been stolen or otherwise unlawfully obtained, and if such persons respectively shall not immediately, or within some reasonable time to be assigned by the Justice, make it appear to the satisfaction of the Justice by what lawful means such goods, matter, or thing came to be deposited or situated in such place as aforesaid, without any default on the part of such persons respectively, then, and in such case, the person or persons in whose house, lodging or other place any such suspected goods, matter or thing shall have been found, and also every other person so appearing to have been privy to the depositing thereof, knowing or having cause to suspect the same to have been stolen or otherwise unlawfully obtained, shall be adjudged guilty of a misdemeanor, and shall suffer as is hereinafter mentioned.

And be it further enacted, That when any person shall be brought before such Justice, charged with having or conveying any such goods, matter, or thing stolen or unlawfully obtained, and shall declare himself or herself to have received the same from some other person, or to have been employed as a carrier, agent, or servant to convey the same for some other person, such Justice is hereby authorized and required to cause every such person, and also, if necessary, every prior or pretended purchaser or other person, through whose possession the same shall have passed, to be brought before him and examined, and to examine witnesses upon oath touching the same; and if upon the whole evidence it shall appear to such Justice that any person shall have had possession of such goods, matter or thing, and have had reasonable cause to believe the same to have been stolen or unlawfully obtained, every such person shall be deemed and adjudged guilty of a misdemeanor, and shall suffer as is hereinafter mentioned, and every such person shall be deemed to have had possession of such goods, matter, or thing, at the time and place when and where the same shall have been found or seized, and the possession of a carrier, agent, or servant shall be deemed to be the possession of the person who shall have employed such other person to convey the same.

And be it further enacted, That for every offence hereinbefore declared to be a misdemeanor, or for which no special penalty is hereinbefore appointed, the offender shall, at the discretion of the Justice before whom the conviction shall take place, either forfeit and pay any sum not exceeding ten pounds, or suffer imprisonment for any time not exceeding three months, with or without hard labour, in any public gaol or house of correction in these Islands, and in case of the adjudication of a pecuniary penalty and non-payment thereof, it shall be lawful for such Justice to commit the offender

Justices may issue warrants to search dwelling houses, &c., in which there is reason to suspect stolen goods are concealed, and may empower constables, if necessary, to use force for effecting such search, and subsequent proceedings to be had thereon.
Vide Act, No. 140, Clauses 11 to 17.

Clause XIII.

Upon declaration made before Justice by the carrier, agent, or servant employed by any person to convey goods, &c., unlawfully obtained, Justice to have such person and all necessary witnesses brought before him, and upon proof of possession by such person, and also that the goods had been unlawfully obtained or stolen, shall adjudge the party having had possession to be guilty of a misdemeanor.

Possession by carrier, agent or servant, to be deemed the possession of the person so employing him.

Clause XIV.

Punishment for misdemeanors for which no special penalty is hereinbefore appointed.
Fine not exceeding £10, or imprisonment, with or without hard labor, for any term not exceeding three months.

How articles seized and taken from persons, adjudged to be guilty of misdemeanor, are to be disposed of.

When such articles are of a perishable nature, they may be sold forthwith.

Clause XV.

Articled seamen neglecting or refusing to join, or to proceed to sea, or absenting themselves without leave from their ships, may, upon complaint thereof on oath, be committed to the gaol, or house of correction, and kept to hard labor for a period not exceeding thirty days.

Proviso.

Upon consenting to join his ship and proceed on the voyage, such seaman shall be conveyed on board, and reasonable costs awarded to the master, from the wages of such seaman.

Clause XVI.

Forfeiture for wilfully cantering or galloping any horse, &c., within the towns.

Vide Act, No. 136, Clause 17.

Clause XVII.

Punishment and penalty for firing off squibs or other fireworks in any of the towns.

Vide Act, No. 136, Clause 17.

Clause XVIII.

Punishment and penalty for firing off muskets or other fire arms in towns, public roads, or highways of the colony.

to any public gaol or house of correction for the like term, unless such penalty shall be sooner paid; and that when any articles shall be seized by virtue of this Act, and the person in whose possession the same shall have been found shall be convicted of a misdemeanor as aforesaid, it shall be lawful for the Justice, before whom the conviction shall take place, to cause such articles to be advertised in some or one of the public newspapers of the said Island, to the end that persons having a right thereto may claim and receive the same within thirty days from the date of such advertisement, on paying the expenses of advertising the same; and if no person shall prove his property and right to the said articles within the said thirty days, the same shall be sold for the best price that can reasonably be gotten for the same, and after deducting the charges of keeping and advertising the same, the residue of the produce thereof shall be paid to the Public Treasurer for the public uses of this Colony; Provided always, That when any such articles are of a perishable nature, it shall be lawful for the Justice before whom the same shall be brought, to order the same to be forthwith sold, or otherwise disposed of, as to him shall seem meet.

And be it further enacted, That in case any articled seaman shall at any time neglect or refuse to join the ship on board of which he shall have engaged to serve, or shall refuse to proceed to sea in her, or shall absent himself therefrom without leave, it shall be lawful for any Justice of the Peace upon complaint of the fact made upon oath by the master, mate, or owner thereof, and such Justice is hereby required by his warrant to cause such seaman to be apprehended and brought before him, and in case such seaman shall not give a reason, to the satisfaction of such Justice, for his neglect, refusal, or absence, as the case may be, upon due proof of such neglect, refusal, or absence, it shall be lawful for any such Justice to commit such seaman to any gaol, or house of correction, there to be kept to hard labour for any period not exceeding thirty days; Provided always, That in case such seaman, on being apprehended and brought before the said Justice, shall consent to join such ship, and proceed on the voyage for which he shall have agreed, it shall be lawful for the said Justice, at the request of the master, instead of committing such seaman, to cause him to be conveyed on board the said ship, or to be delivered to the master, for the purpose of proceeding on the voyage, and also to award to the master such costs incurred in the apprehension of the seaman, as to such Justice shall seem reasonable, not exceeding in any case the sum of forty shillings, sterling, of Great Britain, which shall be chargeable against, and may be abated from, the wages to grow due to such seaman.

And be it further enacted, That if any person shall wilfully canter, or gallop any horse, mare, gelding, filly, mule, or ass within any of the Towns of this Government, every such person so offending shall, upon being convicted thereof, before any one or more Justices of the Peace, forfeit and pay a sum not exceeding three pounds, for each and every such offence, and in default of payment shall suffer imprisonment, with or without hard labor, for any time not exceeding ten days.

And be it further enacted, That if any person shall fire off any squib, serpent, rocket, or other firework in any of the Towns of this Government, His Majesty's Forts and Batteries excepted, or on any of the public roads, or highways thereof, or shall abet, persuade, or instigate any other person so to do, every such person upon conviction thereof before any one or more Justice or Justices of the Peace, shall forfeit and pay any sum not exceeding ten pounds, and in default of payment shall suffer imprisonment, with or without hard labor for any time not exceeding three months.

And be it further enacted, That if any person shall discharge and fire off any musket, fusee, blunderbuss, fowling-piece, or pistol, His Majesty's Troops and the Colonial Militia while being under arms and doing duty excepted, in any of the Towns, or on any of the public roads, or highways of this Colony, such person shall, upon conviction thereof before one or

more Justice or Justices of the Peace, forfeit and pay a sum not exceeding five pounds, currency, and in default of payment of such fine be imprisoned, with or without hard labor, for any time not exceeding thirty days.

And be it further enacted, That any person who shall wilfully and indecently expose his or her person, or who shall knowingly suffer his or her child, being under the age of nine years, to go about naked in, or upon, or near, or within view of any of the highways, wharfs, or other public place in this Island, shall, on being convicted thereof before any one or more Justice or Justices of the Peace, forfeit and pay a fine not exceeding five pounds, and in default of payment shall suffer imprisonment, with or without hard labor, for any time not exceeding thirty days.

Vide Act, No. 136, Clauses 17 and 18.

Clause XIX.
Punishment and penalty for indecent exposure of the person, and for suffering children to go about naked.

And be it further enacted, That if any persons shall assemble and meet together, and shall conduct themselves in a noisy and disorderly manner, in any of the public streets or highways of this Government, and being required by any Constable or Police Officer to disperse, or to pass on, or move, shall continue assembled together, conducting themselves in a noisy and disorderly manner, or if any person or persons shall obstruct any public street or highway, and being required by any Constable or Peace Officer to pass on or move, shall continue to obstruct any such public street or highway, every such person so offending shall, on conviction before one or more Justice or Justices, for every such offence, forfeit any sum not exceeding five pounds, and in default of payment shall suffer imprisonment, with or without hard labor, for any time not exceeding thirty days; and it shall be lawful for any such Constable or Peace Officer to arrest any such person or persons aforesaid, who shall refuse to disperse or pass on or move, in order that such person or persons may be secured, until he, she, or they can be carried before a Justice of the Peace.

Clause XX.
Persons assembling and conducting themselves in a noisy and disorderly manner in the streets or highways, and refusing to disperse or pass on, when required by a Peace Officer, &c., upon conviction thereof, to forfeit a sum not exceeding £5, or to suffer imprisonment, with or without hard labor, for a time not exceeding thirty days.

And be it further enacted, That if any person shall cruelly ill-treat or torture any animal, being his or her property, or the property of any other person, or if any person shall mischievously beat or strike any horse, mare, gelding, mule, or other animal which shall be led, or on which any person shall be riding, with intent to frighten any such horse, mare, gelding, mule, or other animal, or who shall fire off any gun, pistol, or other kind of firearms, or shall wave or exhibit any flag or other signal, with the intent aforesaid, or who shall mischievously excite any bull, ox, or cow, to break loose from any person or persons leading or conducting the same, every person or persons so offending, on conviction before one or more Justice or Justices of the Peace, shall forfeit any sum not exceeding five pounds currency, and in default of payment, be imprisoned, with or without hard labor, for any time not exceeding thirty days.

Clause XXI.
Punishment and penalty for cruelly ill-treating animals, and for beating or frightening (by firing off any gun, pistol, &c., or waving any flag; any horse, &c., which any person shall be leading or riding—and for exciting any bull, cow, or ox, to break loose from the persons leading or conducting the same.

And be it further enacted, That if any person licensed to retail spirituous liquors shall keep open his house, shop, room, or place, for the purpose of retailing such spirituous liquors, between the hours of eight o'clock at night and six o'clock of the following morning, or at any hour on any Sabbath-day, or if any such house, shop, room, or place, shall be open within the above prohibited hours, or being shut up, if any person shall be found therein, except the person or persons actually dwelling therein, or having lawful excuse for being there, the master, mistress, or other person having the care of such house, shop, room, or place, whether he, she, or they be the real owner or owners, or keeper or keepers thereof or not, shall for every such offence, forfeit any sum not exceeding five pounds, upon conviction before any Justice or Justices of the Peace, by confession, or upon oath of one or more credible witness or witnesses, and in default of payment, shall suffer imprisonment, with or without hard labour, for any period not exceeding thirty days.

Clause XXII.
Provisions for regulating the conduct of persons licensed to retail spirituous liquors, and penalty for non-observance of the same.
Vide Act, No. 136, Clause 11.

And whereas an evil practice exists of persons assembling together in vacant lots and in the public streets at unseasonable hours at night, for the purpose of dancing and revelling; And whereas such practice tends to the

Clause XXIII.

Penalty for assembling in vacant lots for the purpose of dancing, &c., and not departing upon being required so to do by a Peace Officer.
Vide Act, No. 136, Clause 19.

demoralization of the inhabitants ; in remedy whereof, Be it enacted, That if any persons shall assemble together in any vacant lot, or in any street, or uncovered place in any of the Towns of this Government, between sunset and sun-rise, for the purpose of revelling or dancing, and shall not depart or retire to their respective homes on being required by any Constable or Peace Officer so to do, every such person, on conviction before any Justice of the Peace, shall, for every such offence, forfeit and pay any sum not exceeding twenty shillings, and in default of payment shall suffer imprisonment, with or without hard labour, for any time not exceeding ten days ; and it shall be lawful for any Constable or other Peace Officer to apprehend any such persons so offending, in order that such persons may be brought before some Justice of the Peace, to be dealt with agreeable to this Act.

Clause XXIV.
Persons convicted under this Act and sentenced to fine may be ordered to pay the same forthwith, or within a stated period by the Justice, and in case of a constable the same may be deducted from his salary.

And be it further enacted, That the Justice or Justices of the Peace, by whom any person shall be convicted and adjudged to pay any sum of money for any offence against this Act, may adjudge that such person shall pay the same, either immediately, or within such period as such Justice or Justices shall think fit, and in the case of a Constable, may order the same to be deducted from his salary or pay ; and when any person shall be imprisoned for non-payment of any fine or sum of money, pursuant to any provision contained in this Act, such imprisonment shall, in every case, cease on payment of the sum due by the offender.

Clause XXV.

And be it further enacted, That every conviction, for any offence mentioned in this Act, may be in the following words, or some other form of words to the like effect :—

Form of conviction for offences under this Act.

GRENADA (to wit.)—Be it remembered that on the _____ day of _____ in the year of our Lord _____ at _____ A. B. is brought before me (or having been duly summoned, has neglected to appear before me), C. D., Esquire, one of His Majesty's Justices of the Peace, for the Island of Grenada, and is charged before me the said Justice, with having (here describe the offence), and it appearing to me the said Justice upon the confession of him the said A. B. (or upon oath of a creditable witness, as the case may be), that the said A. B. is guilty of the said offence : I do, therefore, adjudge the said A. B. (insert the adjudication of the Justice.) Given under my hand and seal, the day and year first above written.

Clause XXVI.
Convictions under this Act not to be set aside or quashed for want of form nor removed by certiorari, except where Penalty shall exceed £5, or thirty days' imprisonment.

And be it further enacted, That no conviction for any offence shall be quashed or set aside, or adjudged void, or insufficient for want of form, nor shall the same be removed by certiorari into His Majesty's Supreme Court of Judicature, except in cases where the penalty shall exceed five pounds, or thirty days imprisonment.

Clause XXVII.
Justices of the Peace not to receive fees.
Vide Act, No. 140, Clause 34.

And be it further enacted, That no Justice of the Peace, or any person on his behalf, shall take or receive any fee for any act, by him done, or to be done in any public matter, in the execution of his office, any law, usage, or custom in any wise to the contrary notwithstanding.

Clause XXVIII.
Fines and forfeitures under this Act to be paid over to the Treasurer for the use of the Colony.

And be it further enacted, That every sum which, by any Justice or Justices of the Peace, shall be adjudged to be paid as a penalty or fine for any offence against this Act, shall be paid or delivered over to the Public Treasurer, to be applied to the public uses of this Colony.

Clause XXIX.
Actions for any thing done in pursuance of this Act, to be commenced within six months, and thirty days notice to be given thereof.
Defendant may plead the general issue, and if amends

And for the protection of persons acting in the execution of this Act, Be it enacted, That all actions and prosecutions to be commenced against any person for any thing done, in pursuance of this Act, shall be commenced within six calendar months after the act committed, and not otherwise, and notice in writing of such action and of the cause thereof shall be given to the defendant thirty days at least before the commencement of this action ; and in any such action the defendant may plead the general issue, and give this Act and the special matter in evidence at any trial to be

had thereupon, and no plaintiff shall recover in any such action, if tender of sufficient amends shall have been made before such action brought, or if a sufficient sum of money shall have been paid into Court, after such action brought by or on behalf of the defendant.

And be it further enacted, That the several Clerks of the Markets shall act as keepers of the public cages within the respective Towns and Parishes in this Government, and shall receive into their custody all offenders duly committed to their charge, until such offenders can be brought before some Justice of the Peace, and every such offender so in custody shall be taken before some Special or other Justice, according to the nature of the offence with which such offender is charged, within twenty-four hours after being received into any cage, and if not prosecuted within the time aforesaid, shall be discharged, unless some Justice shall otherwise so direct.

And be it further enacted, That an Act, intituled, "An Act to establish a Corps of loyal associated black Cavalry, and a Company of slaves to be attached thereto, a Battalion of loyal black Rangers, and a Company of slaves to be added to the Troop of light Cavalry, already established by Law," and an Act, intituled, "An Act to repeal certain clauses of an Act, intituled, 'An Act to establish a Corps of loyal associated light Cavalry, and a Company of slaves to be attached thereto, a Battalion of loyal black Rangers, and a Company of slaves to be added to the Troop of light Cavalry, already established by Law,' and to continue in force so much of the said Act as relates to the making provision for the indemnification to owners of slaves who may die, or be killed, wounded, or maimed, in the service, for the payment of the hire of such slaves, for the pay of the officers, and for the future provision of such officers, who may have been wounded, and for their families if killed, and for establishing three Companies of black Rangers," and also an Act intituled, "An Act to repeal certain clauses of an Act, entitled, 'An Act to repeal certain clauses of an Act, entitled, an Act to establish a Corps of loyal associated light Cavalry, and a Company of slaves to be attached thereto, a Battalion of loyal black Rangers, and a Company of slaves to be added to the Troop of light Cavalry, already established by Law,' and to continue in force so much of the said Act as relates to making provision for the indemnification to owners of slaves, who may die, or be killed, wounded, or maimed, in the service, for the payment of the hire of such slaves, for the pay of the officers, and for the future provision of such officers, who may have been wounded, and for their families if killed, and for establishing three Companies of black Rangers, and the third clause of an Act, intituled, 'An Act for relieving the free colored and free black persons in these Islands, from certain penalties to which they are liable by certain Acts of the Legislature, to enable the Provost Marshal to prove the service of summonses and subpoenas by any free coloured or free black persons, to authorize such free colored and free black persons to give evidence in all cases whatsoever, and for extending the elective franchise to them in certain cases, and for other purposes,' and also the first, second, fourth, fifth, sixth, seventh, eighth, ninth and tenth clauses of an Act, intituled, 'An Act to establish a more efficient Police in the several Towns within this Government,' shall be, and the same are hereby, severally repealed.

And be it further enacted, That it shall be lawful for any Justice of the Peace, on complaint made to him of any offence committed against this Act, either to summon or to issue his warrant for the apprehension of the offender, as he shall think fit.

And be it further enacted, That whenever the words "month" or "months" shall occur in this Act, the same shall be deemed and taken to mean a calendar month or calendar months.

Clause XXXIV. expired.

And be it further enacted, That the Superintendent of Police and the

be tendered before action brought, plaintiff shall not recover, &c.

Clause XXX.

Clerks of the different markets to act as cage keepers in the respective towns and parishes.

Offenders committed to their custody to be taken before a Justice within twenty-four hours after committal.

Vide Act, No. 112, Clause 6.

Clause XXXI.

Acts for establishing the Corps of Colony Rangers and light Cavalry—and the third clause of an Act for relieving the free coloured and black persons from certain penalties, to which they are liable by certain Acts of the Legislature, &c., and the 1st, 2nd, 4th, 5th, 6th, 7th, 8th, 9th, and 10th clauses of "An Act to establish a more efficient Police in the several towns within this Government," severally repealed.

Clause XXXII.

Justices of the Peace may issue warrant or summons for offences under this Act.

Clause XXXIII.

"Months" to mean calendar months.

Clause XXXV.

Superintendent of

Police and Constables exempt from militia duty. Constables to be appointed and employed under this Act, shall be exempt from serving in the Militia of these Islands.

Clause XXXVI.

Word "Governor" in this Act to mean Officer administering the Government of Grenada for the time being. And be it further enacted, That whenever the word Governor shall occur in this Act, the same shall be deemed and taken to mean the Officer administering the Government of Grenada for the time being.

No. XC.

An Act for repealing certain Acts which are burthensome on the Shipping and Persons trading to these Islands, and for providing a remuneration to the present Island Secretary in lieu of fees established by the said Acts. [June 2, 1836.]—Left to its operation by Order in Council, dated 22nd December, 1836.

Preamble.

Recites certain Acts which have passed relative to the shipping.

WHEREAS an Act was passed on the fifth day of July, in the year one thousand seven hundred and eighty-four, intituled, "An Act for the better regulation of foreign vessels arriving in these Islands or found hovering about the coasts of the same, for preventing the carrying off of mortgaged or other slaves by such foreign vessels, and for taking away the benefit of clergy from persons guilty of stealing slaves, for apprehending suspected persons coming from Trinidad, and for obliging owners of vessels to give security not to carry off debtors or slaves without tickets as therein directed, and for preventing small boats or other vessels being run away with;" And whereas another Act was passed on the twenty-third day of September, in the year one thousand seven hundred and eighty-four, intituled, "An Act to prevent masters of vessels trading to this Island from discharging, or leaving on shore, any sick or disabled seamen;" And whereas by another Act passed on the tenth day of May, in the present year, intituled, "An Act to repeal certain clauses and parts of Acts imposing fees upon shipping trading to these Islands," certain parts of the said Acts were repealed; And whereas it is expedient to repeal all the said recited Acts, and to remunerate the present Secretary of these Islands for the loss which will be sustained by him in consequence of the abolition of certain fees payable to him at the time of passing the said last recited Act:

Clause I.

Act of 5th July, 1784—of 23rd September, 1784—of 10th May, 1836—all and severally repealed.

Be it therefore enacted, by His Excellency the Governor-General, the Council and Assembly of the Island of Grenada and its Dependencies, and it is hereby enacted by the authority of the same, That the said three several recited Acts, and every matter and thing therein respectively contained, shall be and the same are hereby repealed.

Clause II.

Owsley Rowley, Esquire, to receive from the Public Treasury the sum of £100 per annum, as long as he shall continue to hold the office of Secretary of the Colony, as remuneration for the fees which belonged to him under the said Acts of 5th July and 23rd Sep., 1784.

And be it further enacted, That there shall be paid from the Public Treasury of these Islands to Owsley Rowley, Esquire, so long as he shall hold the Office of Secretary of these Islands, the sum of one hundred pounds per annum, and so in proportion for any less period than one year, during which he shall hold the said office, as and for a remuneration for and in lieu of all fees hereby and by the said recited Act of the tenth day of May aforesaid abolished; the said annual sum to be calculated from the said tenth day of May aforesaid.

No. XCI.

An Act to give effect to the provisions of an Act of the Parliament of the United Kingdom of Great Britain and Ireland, passed to make provision for the better administration of Justice in certain of His Majesty's West India Colonies. [October 8, 1836.]

WHEREAS, by an Act of the Parliament of the United Kingdom of Great Britain and Ireland, passed in the sixth year of the reign of His Majesty King William the Fourth, and in the year of our Lord one thousand eight hundred and thirty-six, intituled, "An Act to make provision for the better administration of Justice in certain of His Majesty's West India Colonies," it is amongst other things enacted, That it shall be lawful for His Majesty, and he is hereby authorized by Charters or Letters Patent under the Great Seal of the United Kingdom, to erect, constitute, and establish two Superior Courts of Judicature, having such exclusive Jurisdiction as therein mentioned, within His Majesty's Islands of Barbados, Saint Vincent, Grenada, Tobago, Antigua, Montserrat, Saint Christopher, Nevis, Dominica, and the Virgin Islands, in the West Indies, and which Charters or Letters Patent shall be promulgated in the several Islands aforesaid, by Proclamations to be therein respectively made, in the name and on the behalf of His Majesty, by the respective Governors or Officers administering the Government thereof, respectively; and it is thereby also enacted, that the said recited Act shall not come into operation, and shall not be binding, or in force, upon His Majesty's Subjects, or other persons residing, and being within the said Islands and Governments, and that such Letters Patent or Charters, as aforesaid, shall not be made or issued, unless the Legislative Councils and General Assemblies of the said several Islands or Governments shall, by some Acts of Assembly to be by them for that purpose first made and enacted, have provided, that all and every the Acts, Laws, Statutes, Customs and Usages, in force within the said Islands and Governments, in so far as the same might or could in any wise obstruct or interfere with the operation within such Islands or Governments of the said Act, and of the said Charters or Letters Patent, shall be absolutely repealed or annulled, nor unless such repeal shall be made to take effect immediately upon the promulgation of such Charters or Letters Patent, within the said Islands or Governments, nor unless such Acts of Assembly shall be assented to in the name and on the behalf of His Majesty by the Governors or the Officers administering the Government of the said Islands or Governments, and shall be confirmed and allowed by His Majesty, with the advice of his Privy Council: And whereas it is expedient to give effect to the provisions of the said recited Act of Parliament:

Be it therefore enacted by His Excellency Lieutenant-Colonel Charles Joseph Doyle, Lieutenant-Governor and Commander-in-Chief in and over the Island of Grenada and its Dependencies, and by the Council and Assembly of the same Islands, and it is hereby enacted by authority of the same, That all and every the Acts, Laws, Statutes, Customs, and Usages, in force within the said Island of Grenada and its Dependencies, in so far as the same might or could, or may or can, in any wise, obstruct or interfere with the operation within the said Island of Grenada and its Dependencies, of the said recited Act of Parliament, and of the said Charters or Letters Patent, shall be, and the same are hereby absolutely repealed and annulled, such repeal to take effect immediately upon the promulgation of the said Charters or Letters Patent, within the said Island of Grenada and its Dependencies, and not before.

Preamble.
Recites part of the Act of the 6th William IV., "for making provision for the better administration of Justice in His Majesty's West India Colonies."

Clause I.
All Acts, Laws, Statutes, customs and usages in force within this Colony, that may obstruct or interfere with the operation of the said Act of 6th William IV., or the charter or letters patent therein referred to, declared to be repealed immediately upon the promulgation of such charters or letters patent within this Island and its Dependencies.

No. XCII.

An Act to prevent the firing off of Cannon, Swivels, or other description of Fire Arms, from Ships, or other Vessels, in the Carenage of the Town of Saint George, and from the Wharfs adjoining the same. [*February 1, 1838.*—Left to its operation by Order in Council, dated 8th June, 1838.

Preamble.

WHEREAS a practice highly dangerous and inconvenient to the public hath hitherto prevailed of firing off cannon, swivels, and other descriptions of fire arms, from ships, or other vessels, lying at anchor or sailing within the Carenage of the Town of Saint George, in this Island, and from the wharfs adjoining the same, which it is necessary should in future be prohibited, and doubts having arisen whether persons guilty of the same can be legally convicted under the provisions of any Act now in force in these Islands ;

Clause I.
Persons discharging, or causing to be discharged, any cannon, swivel, &c., from any of the wharfs of Saint George's, or from any vessel in the Carenage—how punished.

Be it therefore enacted, by His Excellency the Lieutenant-Governor, the Council and Assembly of the Island of Grenada and its Dependencies, and it is hereby enacted and ordained by authority of the same, That from and after the passing of this Act, any person who shall fire or discharge, or cause to be fired or discharged, any cannon, swivel, or other description of fire arm, from any ship or vessel, of whatsoever kind or description, which may be lying at anchor or sailing within the Carenage of the Town of Saint George, or shall fire or discharge, or cause to be fired or discharged, any such cannon, swivel, or other description of fire arms, from or upon any of the wharfs adjoining thereto, such person shall upon conviction thereof, in either case, before any two or more Justices of the Peace, be liable to pay such fine (not exceeding five pounds current money), or to suffer such imprisonment in the common gaol of this Island (the same not to exceed ten days), as such Justices shall in their discretion think fit and proportionate to the offence ; Provided always, That in all cases where such cannon, swivel, or other description of fire arms, shall be fired or discharged from any ship or other vessel, and where any difficulty may arise in identifying the person so firing or discharging the same, in every such case the master or other person in charge of such ship or vessel shall be liable to pay a fine not exceeding five pounds currency, or on non-payment thereof to suffer imprisonment as hereinbefore directed.

Proviso.

Clause II.
Penalties, how levied, and application thereof.

And be it enacted, by the Authority aforesaid, That all penalties which shall be incurred under or in pursuance of this Act, shall be levied by warrant under the hand and seal of any two Justices of the Peace, directed to any constable, and shall be applied as follows—that is to say, one half thereof shall be paid to the informer or informers, and the other half thereof shall be paid into the Public Treasury of these Islands for the public uses thereof.

Clause III.
Harbour-Master to notify to ship masters the provisions of this Act.

And be it further enacted, That it shall be the duty of the Harbour Master, and he is hereby directed to give due notice to the master of every ship or other vessel coming to the Carenage of the Port of Saint George, of the provisions of this Act.

No. XCIII.

An Act for the more speedy levying of Recognizances forfeited, and of fines imposed on Jurors and Witnesses. [*June 26, 1838.*]
—Left to its operation by Order in Council, dated 29th November, 1838.

Preamble.

WHEREAS the practice for the recovery of forfeited recognizances, and fines imposed on Jurors and Witnesses, has been much improved by late

Acts of the Imperial Parliament, to prevent delays and impediments to the due administration of Justice, and it is expedient to improve the practice to the same effect in this Colony ;

Therefore, be it enacted by His Excellency the Lieutenant-Governor, the Council and Assembly of the Island of Grenada and its Dependencies, and it is hereby enacted by the authority of the same, that from and after the passing of this Act, all recognizances which shall be forfeited by or before any Justice or Justices of the Peace, in the said Island of Grenada and the Dependencies thereof, shall be, and are hereby required to be certified by the Justice or Justices of the Peace, by or before whom any such recognizances shall be forfeited to the Clerk of the Crown of the said Island, containing the names and residences, trade, profession, or calling of the parties, the amount of the sum forfeited by each respectively, and the cause of such forfeiture signed by such Justice or Justices of the Peace, on or before the next ensuing Sessions of the Supreme Court of Judicature.

And be it further enacted, That the said Clerk of the Crown shall, and he is hereby required, within thirty days after the holding of the first sitting of each session, to return under his hand to the Chief Justice, or in his absence to the Senior Assistant Justice, who may preside at the said Court, for the time being, one complete abstract of all recognizances, sum or sums of money forfeited in the said Court, as well as those that may have been certified as forfeited, as aforesaid, by or before any Justice or Justices of the Peace, and of all fines imposed by the said Court on Jurors and witnesses, and the said Clerk of the Crown, being the Secretary of the said Court, shall, within fifteen days after the first adjournment of the said Court, send a copy of such abstract, with a writ of *distringas* and *capias*, or *feri facias* and *capias*, according to the form and effect in the schedule marked A, to the Provost Marshal General, or, in his absence, to the acting Provost Marshal General, which shall be the authority to such Provost Marshal General, or such acting Provost Marshal General, for the proceeding to the immediate levying and recovering such recognizances and fines, sum or sums of money, on the goods and chattels of such several parties, or for taking into custody the bodies of such persons in case sufficient goods and chattels shall not be found whereon levy can be made for recovery thereof, and every person so taken shall be lodged in the common gaol until the next sessions of the said Court, there to abide the judgment of the said Court.

Provided always, and be it enacted, That if any person, on whose goods and chattels such Provost Marshal General, or acting Provost Marshal General, shall be authorized to levy any such recognizance, or sum or sums of money, to be paid in lieu or satisfaction thereof, so certified to be forfeited by and before any Justice or Justices of the Peace, shall give security to the said Provost Marshal General, or acting Provost Marshal General, for his or her appearance at the next session of the said Court, then and there to abide the decision of the Court ; and for the payment of such forfeited recognizance or sum of money in lieu or satisfaction thereof, together with all such expences as shall be ordered and adjudged by the Court, it shall be lawful for such Provost Marshal General, or acting Provost Marshal General, and he is hereby authorized and required to discharge such persons so giving a security out of custody : Provided also, that in case such party so giving such security shall not appear in pursuance of his undertaking, it shall be lawful for the Court forthwith to issue a writ of *distringas* and *capias*, or *feri facias* and *capias*, against the surety or sureties of the person so bound as aforesaid.

And be it enacted, That the Court, before whom any person so committed to gaol, or bound to appear, shall be brought, is hereby authorized and required to enquire into the circumstances of the case, and shall, at its discretion, be empowered to order the discharge of the whole of the forfeited recognizance, or sum or sums of money paid, or to be paid, in lieu or

Clause I.
Forfeited recognizances to be certified to the Clerk of the Crown and Peace, by the Justice or Justices before whom they shall be forfeited.

Clause II.
Clerk of the Crown required to return, within thirty days after the holding of each session, to the Chief or Senior Assistant Justice, presiding, a complete abstract of all forfeited recognizances, together with all fines imposed on jurors and witnesses. Within 15 days after first adjournment of Court, Clerk to send copy of such abstract, with a writ of *distringas* and *capias*, or *feri facias* and *capias*, to Provost-Marshal-General, which shall be his warrant for levy and recovery of such recognizances and fines. Form of *Capias*—Schedule A.

Clause III.
Provided party on whose goods and chattels the Provost-Marshal-General shall levy, shall give security for his or her appearance at the next session of the Court there to abide its decision, it shall be lawful for such Provost-Marshal-General to discharge such party from custody.

Party giving security as aforesaid, failing to appear, Court to issue writ of *distringas* and *capias*, or *feri facias* and *capias*, against surety or sureties.

Clause IV.
Court, on appearance of party, to enquire into the circumstances of the case, at its discretion, and empow-

ered to order discharge of forfeited recognisances, &c.
Form of discharge—Schedule B.

Lawful for Court to award such costs and charges to either party, as it may deem just and reasonable.

satisfaction thereof; and such order shall be made in the form or to the effect of the schedule marked B, and shall be signed by the Secretary of the said Court, which said order shall be a discharge to such Provost Marshal General, or acting Provost Marshal General, on the passing of his accounts; and it shall and may be lawful to and for the said Court to award such costs, charges, and expences, to be paid by either party to the other, as to the said Court shall seem just and reasonable.

SCHEDULE A.

GRENADA.—Victoria, by the Grace of God, of the United Kingdom of Great Britain and Ireland, Queen, Defender of the Faith.

To the Provost Marshal General of the Island of Grenada, Greeting :

You are hereby required and commanded that you omit not by reason of any custom of or practice in the said Island, but that of all the goods and chattels, lands and tenements, of all and singular the persons in the several abstracts to this writ annexed, you cause to be levied all and singular the debts and sums of money upon them in the same abstracts severally imposed and charged, so that the money may be ready for payment at the next sessions of the Court of Supreme Judicature, to be paid over to the Public Treasurer of the said Island, and if any of the said several debts or sums of money cannot be levied by reason of no goods or chattels being to be found belonging to the parties, then in all cases that you take the bodies of the parties refusing to pay the aforesaid debts, and lodge them in the common gaol, there to await the decision of the Judge or Judges at the next Court, unless the parties shall have given sufficient security for their appearance at the next Court, for which you will be held answerable; and have you there then this writ.

Witness	Register of Deeds and Secretary of the said
Court	at Saint George's, the day of
in the	year of the reign.

SCHEDULE B.

To the Provost Marshal General of the Island of Grenada :

Whereas hath appeared before the Court of Supreme Judicature, held at the Court House, in the Town of Saint George, on the day of has forfeited the sum of (here define the nature of the fine or forfeiture) and having made it appear to the satisfaction of the said Court that he should be relieved from the payment of the said sum of (or if the penalty be mitigated, state for what part thereof.) —You are therefore hereby required to discharge the said sum of from the abstract delivered to you, after the Court held on the day of for which discharge this warrant shall be your authority, and shall exonerate you from the said charge on the final passing of your accounts.

By order of the Court.

No. XCIV.

An Act to regulate all Weights and Measures, and to reduce them to one common standard. [25th November, 1839.]

Preamble.

WHEREAS it has become expedient to alter and regulate the Weights and Measures established by local custom now used in this Colony, in buying

and selling of Goods, Wares, and Merchandize, to one general Standard : Clause 1.
 Be it therefore enacted, by His Excellency the Lieutenant Governor, the All Weights and Measures used in buying and selling in this Colony, to be, after the 31st of May next, of the same denomination as the Imperial Standard Weights and Measures, established by Act of Imperial Parliament, Fourth and Fifth William the Fourth.

And be it further enacted, That such Weights and Measures as have Clause II.
 been procured at the public expense be examined by a Committee of both Such Weights and Measures as have been procured at the public expense, to be examined by a Legislative Committee, and Standard Weights and Measures be by them placed in Custody of the Clerks of the Markets, who shall by the 31st of May next, stamp and adjust to the Standard all Weights and Measures to be thereafter used in
 Houses of the Legislature, and that Standard Weights and Measures be Clause III.
 by such Committee placed in the custody of the Clerks of the respective All fines and penalties now in force for the use, non-use, or adjustment of any Weights and Measures, and also the mode of recovering the same, to be extended to the use, non-use, or adjustment according to the Standard of all Weights and Measures after the said 31st May next.
 Markets, in the several Towns and Parishes of this Colony, and that the Clause III.
 said Clerks of the Markets of the said several Towns and Parishes shall, on All fines and penalties now in force for the use, non-use, or adjustment of any Weights and Measures, and also the mode of recovering the same, to be extended to the use, non-use, or adjustment according to the Standard of all Weights and Measures after the said 31st May next.
 or before the said thirty-first day of May next, stamp, and adjust to the Clause III.
 Standard hereby established, all Weights and Measures, to be thereafter used All fines and penalties now in force for the use, non-use, or adjustment of any Weights and Measures, and also the mode of recovering the same, to be extended to the use, non-use, or adjustment according to the Standard of all Weights and Measures after the said 31st May next.
 in selling and buying in the said several Towns and Parishes.

May next, stamp and adjust to the Standard all Weights and Measures to be thereafter used in

And be it enacted, That all fines, forfeitures, and penalties imposed by Clause III.
 any Act now in force in this Colony, upon any person, in respect of the use, All fines and penalties now in force for the use, non-use, or adjustment of any Weights and Measures, and also the mode of recovering the same, to be extended to the use, non-use, or adjustment according to the Standard of all Weights and Measures after the said 31st May next.
 non-use, or adjustment of any Weights or Measures, and also the mode of Clause III.
 recovering such fines, forfeitures, and penalties, shall be and the same are All fines and penalties now in force for the use, non-use, or adjustment of any Weights and Measures, and also the mode of recovering the same, to be extended to the use, non-use, or adjustment according to the Standard of all Weights and Measures after the said 31st May next.
 hereby extended to the use, non-use, and adjustment from the said thirty- Clause III.
 first day of May next, of all Weights and Measures, according to the All fines and penalties now in force for the use, non-use, or adjustment of any Weights and Measures, and also the mode of recovering the same, to be extended to the use, non-use, or adjustment according to the Standard of all Weights and Measures after the said 31st May next.
 Standard hereby established.

No. XCV.

An Act to facilitate the recovery of possession of Tenements, after due determination of the tenancy. [25th November, 1839.]

WHEREAS, it is expedient to provide for the more speedy and effectual Preamble.
 recovery of the possession of premises unlawfully held over, after the deter-
 mination of the tenancy: Be it therefore enacted by the Lieutenant Governor,
 he Council and Assembly of the Island of Grenada and its Dependencies,
 and it is hereby enacted by authority of the same, That from and after the
 passing of this Act, when and so soon as the term or interest of the tenant
 of any house, land or other corporeal hereditaments held by him, at will,
 or for any term not exceeding seven years, either without being liable to
 the payment of any rent, or at a rent not exceeding the rate of twenty-five
 pounds of current money of Grenada a year, and upon which no fine shall
 have been reserved or made payable, shall have ended, or shall have duly
 determined by a legal notice to quit or otherwise, and such tenant or (if
 such tenant do not actually occupy the premises, or only occupy a part
 thereof) any person by whom the same or any part thereof shall be then
 actually occupied, shall neglect or refuse to quit and deliver up possession
 of the premises, or of such part thereof respectively, it shall be lawful for
 the landlord of the said premises, or his agent, to cause the person so
 neglecting or refusing to quit and deliver up possession to be served (in the
 manner hereinafter mentioned) with a written notice in the form set forth
 in the schedule to this Act, signed by the said landlord or his agent, of his
 intention to proceed to recover possession under the authority, and according
 to the mode prescribed in this Act, and if the tenant or occupier shall not
 thereupon appear at the time and place appointed, and shew to the satisfac-
 tion of the Justices hereinafter mentioned, reasonable cause why possession
 should not be given under the provisions of this Act, and shall still neglect

Clause I.
 When the term of tenancy of any house, land, or other corporeal hereditament held by any tenant for a term not exceeding seven years, either without any rent, or at a rent not exceeding £25 per annum, upon which no fine shall have been reserved, &c., shall have ended, or the tenant receive legal notice signed by the landlord or his agent, of his intention to proceed under authority of this Act to recover possession thereof, such tenant failing to attend and shew cause to satisfaction of Stipendiary Justices, why possession should not be given, or neglecting to give up possession, upon the landlord giving proof of the holding of and determination of such tenancy.

cy, and on proof of the service of the notice, the said Stipendiary Justices of the district, in petty sessions assembled, or any two of them shall issue a warrant to the Constables of the said district, to enter, within a certain period, to be therein mentioned into the premises and give possession to the landlord.

No such entry to be made on a Sunday, Good Friday, or Christmas Day, or at any time except between 9 o'clock in the morning and 4 in the afternoon. Nothing in this Act to protect any person from any Action brought by such tenant on account of such entry, such person not having lawful right to the premises, or to affect any rights any person may be entitled to as out going tenant.

Clause II.
Such notice to be served personally, or to be left with some person residing at the place of abode of the tenant so holding over the premises. Person serving notice to read over and explain the same to the person served, or with whom the notice is left.

In case the person so holding over cannot be found, his place of abode not known, or admission thereto cannot be obtained, the notice is to be posted up

or refuse to deliver up possession of the premises, or of such part thereof, of which he is then in possession, to the said landlord or his agent, it shall be lawful for such landlord or agent to give to such Justices proof of the holding, and of the end or other determination of the tenancy, with the time or manner thereof, and where the title of the landlord has accrued since the letting of the premises, the right by which he claims the possession; and upon proof of service of the notice, and of the neglect or refusal of the tenant or occupier, as the case may be, it shall be lawful for the Stipendiary Justices, acting for the district, division, or place within which the said premises or any part thereof shall be situate, in petty sessions assembled, or any two of them, to issue a warrant, under their hands and seals, to the Constables and Peace Officers of the district, division, or place within which the said premises, or any part thereof shall be situate, commanding them, within a period to be therein named, not less than twenty-one, nor more than thirty clear days, from the date of such warrant, to enter (by force if needful) into the premises, and give possession of the same to such landlord or agent; Provided always, that entry upon any such warrant shall not be made on a Sunday, Good Friday, or Christmas day, or at any time, except between the hours of nine in the morning, and four in the afternoon: Provided also, that nothing herein contained, shall be deemed to protect any person on whose application, and to whom any such warrant shall be granted, from any action which may be brought against him by any such tenant, or occupier for, or in respect of such entry, and taking possession where such person had not at the time of granting the same lawful right to the possession of the same premises; Provided also, that nothing herein contained, shall affect any rights to which any person may be entitled, as outgoing tenant, by the custom of the country, or otherwise.

And be it enacted, That such notice of application, intended to be made, under this Act, may be served either personally, or by leaving the same with some person, being in, and apparently residing at the place of abode of the persons so holding over as aforesaid, and that the person serving the same shall read over the same to the person served, or with whom the same shall be left as aforesaid, and explain the purport and intent thereof; Provided that if the person so holding over cannot be found, and the place of abode of such person shall either not be known, or admission thereto cannot be obtained, for serving such summons, the posting up of the said summons on some conspicuous part of the premises so held over, shall be deemed to be good service upon such person.

cannot be found, his place of abode not known, or admission thereto cannot be obtained, the notice is to be posted up in some conspicuous part of the premises so held over.

Clause III.
The obtaining any such warrant by any person not having legal right to the premises, to be deemed a trespass against the tenant, although no entry shall have been made under such warrant, and such tenant becoming bound with two approved sureties in a sum to be approved of to sue such person, and to pay all costs of the proceedings of such Action, in case a verdict shall pass for Defendant, the execution of the warrant shall be delayed until judgment be given in such Action, and if a verdict be given

And be it further enacted, That in every case in which the person to whom any such warrant shall be granted, had not, at the time of granting the same, lawful right to the possession of the premises, the obtaining of any such warrant as aforesaid shall be deemed a trespass by him, against the tenant or occupier of the premises, although no entry shall be made by virtue of the warrant, and in case any such tenant or occupier will become bound with two sureties as hereinafter provided, to be approved of by the said Justices, in such sum as to them shall seem reasonable, regard being had to the value of the premises and to the probable costs of an Action, to sue the person to whom such warrant was granted with effect and without delay, and to pay all the costs of the proceeding in such action, in case a verdict shall pass for the defendant, or the plaintiff shall discontinue or not prosecute his action or become nonsuit therein, execution of the warrant shall be delayed until judgment shall have been given in such action of trespass, and if upon the trial of such action of trespass, a verdict shall pass for the plaintiff, such verdict and judgment thereupon shall supersede the warrant so granted, and the plaintiff shall be entitled to double costs in the said action of trespass.

in favour of Plaintiff it shall supersede such warrant, and the Plaintiff shall be entitled to double costs.

And be it enacted, that every such Bond as herinbefore mentioned shall be made to the said landlord or his Agent, at the costs of such landlord or Agent, and shall be approved of and signed by the said Justices, and if the Bond so taken be forfeited, or if upon the trial of the action for securing the trial of which such bond was given, the judge by whom it shall be tried, shall not indorse upon the record in Court, that the condition of the Bond hath been fulfilled, the party to whom the Bond shall have been so made may bring an action and recover thereon; Provided always, that the Court where such action as last aforesaid shall be brought, may, by a rule of Court, give such relief to the parties upon such Bond as may be agreeable to justice, and such rule shall have the nature and effect of a defeazance to such Bond.

shall have been made may bring an Action, and recover thereon; the Court before whom such Action brought, may by a rule of Court relieve the parties upon such bond, such rule having the effect of a

Clause IV.

Every such bond to be made to such landlord or agent at their costs, and to be approved of and signed by the said Justices, and such bond being forfeited, or the Judge before whom such Action shall have been tried, not endorsing upon the record in Court that its conditions have been fulfilled, the party to whom such bond aforesaid shall be defeazance to such bond.

And be it enacted, That it shall not be lawful to bring any action or prosecution against the said Justices by whom such warrant as aforesaid shall have been issued, or against any Constable or Peace Officer by whom such warrant may be executed, for issuing such warrant or executing the same respectively, by reason that the person on whose application the same shall be granted had not lawful right to the possession of the premises.

reason of the person to whom such warrant shall have been granted, not having had legal right

Clause V.

The Justices by whom such warrant shall have been granted, and the Constables by whom it may have been executed not liable to prosecution by to the premises.

And be it enacted, that where the landlord at the time of applying for such warrant as aforesaid had lawful right to the possession of the premises or of the part thereof so held over as aforesaid, neither the said landlord nor his agent, nor any other person acting in his behalf shall be deemed to be a trespasser by reason merely of any irregularity or informality in the mode of proceeding for obtaining possession under the authority of this Act, but the party aggrieved may if he think fit bring an action on the case for such irregularity and informality in which the damage alleged to be sustained thereby, shall be specially laid, and may recover full satisfaction for such special damage with costs of suit; Provided that if the special damage so laid be not proved, the defendant shall be entitled to a verdict, and that if proved, but assessed by the Jury at any sum not exceeding five shillings, the plaintiff shall recover no more costs than damages, unless the Judge before whom the said trial shall have been held, shall certify upon the back of the record, that in his opinion full costs ought to be allowed.

defendant entitled to verdict; if proved, but assessed at a sum not exceeding 5s., plaintiff not to damages, unless the Judge shall certify on the back of record that full costs

Clause VI.

The landlord or his agent having at the time of granting such warrant lawful right to premises, not to be deemed a trespasser on account of any irregularity in the mode of obtaining possession under the authority of this Act, but the party aggrieved may bring an Action, in which the damage alleged to be sustained may be specially laid and recovered with costs of suit, such damage not proved, recover more than ought to be allowed.

Clause VII.

Definition of the words "premises," "person," "landlord," "agent," &c., used throughout this Act.

And be it enacted, That in construing this Act, the word "premises," shall be taken to signify lands, houses, or other corporeal hereditaments, and the word "person," shall be taken to comprehend a body politic, corporate, or collegiate, as well as an individual, and that every word importing the singular number, shall, where necessary to give full effect to the enactments herein contained, be deemed to extend and be applied to several persons or things, as well as one person or thing, and that every word importing the masculine gender, shall, where necessary, extend and be applied to a female as well as a male, and that the term "landlord," shall be understood as signifying the person entitled to the immediate reversion of the premises, or if the property be held in joint tenancy, co-partnery, or tenancy in common, shall be understood as signifying any one of the persons entitled to such reversion, and that the word "agent," shall be taken to signify any person usually employed by the landlord, in the letting of the premises, or in the collection of the rents thereof, or specially authorized to act in the particular matter, by writing, under the hand of such landlord.

SCHEDULE TO WHICH THIS ACT REFERS.

FORM No. 1.—Notice of Owner's intention to apply to Stipendiary Justices to recover possession.

I owner or agent to the owner (as the case may be) do hereby give you notice, that unless peaceable possession of the tenement (shortly describing it) situate which was held of me or of the said (as the case may be) under a tenancy from year to year, (or as the case may be) which expired (or was determined) by notice to quit from the said or otherwise (as the case may be) on the day of and which tenement is now held over, and detained from the said be given to (the owner or agent) or before the expiration of seven clear days from the service of this notice, I shall on next, the day of at of the clock of the same day, at apply to her Majesty's Stipendiary Justices of the Peace, acting for the district of (being the district, division or place in which the said tenement, or any part thereof is situate) in petty sessions assembled, to issue their warrant, directing the Constables of the said district to enter and take possession of the said tenement, and to eject any person therefrom.

Dated this

To Mr.

(signed)

Owner or Agent.

FORM No. 2.—Complaint before two Stipendiary Justices.

The complaint of (owner or agent, &c., as the case may be) made before us, two of Her Majesty's Stipendiary Justices of the Peace, acting for the district of in petty sessions assembled, who saith, that the said did let to a tenement, consisting of for under the rent of and that the said tenancy expired (or was determined by notice to quit, given by the said as the case may be) on the day of and that on the day of the said did serve on (the tenant holding over) a notice in writing, of his intention to apply to recover possession of the said tenement (a duplicate of which notice is hereto annexed) by giving, &c., (describing the mode in which the service was effected) and that notwithstanding the said notice, the said refused (or neglected) to deliver up possession of the said tenement, and still detains the same.

To (signed)

Taken the day of before us

A duplicate of the notice of intention to apply is to be annexed to this complaint.

FORM No. 3.—Warrant to Peace Officers, to take and give possession.

Whereas, (set forth the complaint) we, two of her Majesty's Stipendiary Justices of the Peace, in petty sessions assembled, acting for the of do authorize and command you, on any day within days from the date thereof (except on Sunday, Christmas day, and Good Friday, to be added if necessary) between the hours of nine in the forenoon, and four in the afternoon, to enter, by force, if needful, and with or without the aid (of the owner or agent, as the case may be) or any other person or persons whom you may think requisite to call to your assistance, into and upon the said tenement, and to eject thereout any person, and of the said tenement full and peaceable possession to deliver to the said the owner or agent.

Given under our hands and seals, this day of

To and all other Constables and Peace Officers acting for the district of

No. XCVI.

An Act to provide for the assimilation of the Currency of the Island of Grenada and its Dependencies, to the Currency of the United Kingdom of Great Britain and Ireland. [24th August, 1840.]—Left to its operation by Order in Council, dated 8th May, 1841.

WHEREAS by a Proclamation bearing date the fourteenth day of September, Preamble.

One Thousand Eight Hundred and Thirty-eight, Her Most Gracious Majesty, by and with the advice of her Privy Council, was pleased to declare and ordain, that throughout the whole of her West Indian Colonies, including her Province of British Guiana, the Spanish, Mexican and Columbian Gold Coins called Doubloons, should circulate and be received in payment, as being of the full value of sixty-four shillings sterling, current money of the United Kingdom, and that the Spanish, Mexican and Columbian Silver Coin called Dollars, should circulate and be received in payment, as being of the full value of four shillings and twopence sterling, like current money of the United Kingdom; and that in all payments to be made in any of her said Colonies, tender of payment in Doubloons and Dollars, or either of them, at the rate aforesaid, should be deemed and taken to be a lawful tender, in the same manner as if such tender had been made in the current Coin of the United Kingdom: And whereas by another Proclamation bearing date the day and year aforesaid, Her Majesty was pleased by and with the advice of her Privy Council, to order, that the said Proclamation should take effect and come into force in each of Her Majesty's said Colonies, upon and from and after such day as should be for that purpose limited by the Governor, or Officer administering the Government of each of the said Colonies respectively, by any Proclamation to be by them respectively for that purpose issued in each of such respective Colonies: And whereas by a Proclamation issued by His Excellency the Lieutenant-Governor of Grenada, on the twenty-second day of November, One Thousand Eight Hundred and Thirty-eight, he directed and declared, that the said Proclamation of Her Majesty should take effect and come into force in the Island of Grenada and its Dependencies, upon and from and after the first day of December, One Thousand Eight Hundred and Thirty-eight: And whereas by another Proclamation issued in Her Majesty's name, by His Excellency the Lieutenant-Governor of Grenada, on the twenty-second day of November aforesaid, after amongst other things reciting that it was expedient that the Currency rate at which the said Doubloons and Dollars, as well as the Silver Coins of the United Kingdom, should circulate in Grenada, should be ascertained and fixed, it was declared and ordained, that throughout the said Island of Grenada and its Dependencies, the said Doubloon, the said Dollar, and the said Silver Coins should, from and after the said first day of December, One Thousand Eight Hundred and Thirty-eight, be received and taken at the following rates of the Currency of Grenada, that is to say, the Doubloon weighing not less than seventeen pennyweights, eight grains, at the rate of eight pounds, current money of Grenada, and its aliquot or fractional parts in the same proportion; the Dollar weighing not less than seventeen pennyweights, eight grains, at the rate of ten shillings and five pence, like current money of Grenada and its Dependencies, and its aliquot or fractional parts in the like proportion; the British shilling at the rate of two shillings and sixpence, like current money of Grenada, and all other British Silver Coins and the aliquot or fractional parts of all such British Silver Coins in the like proportions: And whereas the pound sterling of the United Kingdom is equivalent to two pounds ten shillings of current money of Grenada, and all British Coins circulate in

Recites Proclamations of 14th Sept., 1838.

And Proclamations of 22nd Nov., 1838.

Clause I.
After the commencement of this Act, the Currency of Great Britain and Ireland, declared to be that of Grenada, and all money transactions to be entered into according to such Currency, except as afterwards specially provided, &c.

the said Island and its Dependencies, in that proportion : And whereas it is expedient that the Currency of Grenada should be assimilated to the Currency of the United Kingdom, without disturbing the relation between Debtor and Creditor : Be it therefore enacted by His Honor the President, the Council and Assembly of the Island of Grenada and its Dependencies, and it is hereby enacted by the Authority of the same, that on, and from, and after the commencement of this Act, the Currency of the United Kingdom of Great Britain and Ireland, shall be and become, and is hereby declared to be the Currency of Grenada ; and that on, and from, and after the commencement of this Act, all receipts and payments, and all gifts, grants, contracts, bargains, sales, agreements, and stipulations, and all written bonds, bills, notes, drafts, acceptances, receipts, acknowledgments, undertakings, or securities for money, and all transactions, dealings, matters, and things whatsoever, relating to money, or involving, or implying the payment of money, or the liability to pay any money, which shall be had, made, done, executed, or entered into in any and every part of the said Island of Grenada and its Dependencies, shall be had, made, done, executed, and entered into, according to such Currency of the said United Kingdom, so becoming the Currency of Grenada, and not in any other manner than according to such Currency of the said United Kingdom, except as hereinafter is specially provided, and that all such receipts, payments, gifts, grants, contracts, bargains, sales, agreements, stipulations, bonds, bills, notes, drafts, acceptances, acknowledgments, undertakings, securities, transactions, dealings, matters, and things, shall be held, deemed, construed, and taken to be had, made, executed, done and entered into according to such Currency of the said United Kingdom, so becoming the Currency of Grenada, and in reference to money of the value circulating in the said United Kingdom, at the time of the passing of this Act, unless the contrary be proved to have been the intention of the parties concerned, any Law, Statute, Usage, or Custom in force in Grenada, at any time before the passing of this Act to the contrary in any wise notwithstanding.

Clause II.
All matters or transactions of whatsoever nature, relating to money, or involving or implying the payment of money, or the liability to pay money which shall have been entered into before the commencement of this Act, shall be construed and carried into effect, as if the same had been contracted in currency of the United Kingdom.

And be it enacted, That all gifts, grants, contracts, bargains, sales, agreements, and stipulations, and all bonds, bills of exchange, promissory notes, drafts, acceptances, receipts, acknowledgments, undertakings, and securities for money, and all debts due, or to grow due, under or by virtue of any recognizance, statute, judgment, award, bond, lease, or other specialty, or by virtue of any simple contract, written or parol, and transactions, dealings, matters, and things whatsoever, relating to money, or involving, or implying the payment of money, or the liability to pay any money, which shall have been, or shall be acknowledged, confessed, awarded, executed, had, made, done, or entered into at any time before the commencement of this Act, according to or with reference to the Currency of Grenada, or as money shall, before the commencement of this Act, have been valued in Grenada, shall, from and after the commencement of this Act, be construed and carried into effect, and shall be paid and discharged according to the amount thereof respectively, in such Currency of the said United Kingdom, so becoming the Currency of Grenada as aforesaid, to be calculated in manner following, that is to say, that every sum of the Currency of Grenada then due, or thereafter to grow due, or to be accounted for in any way under or by virtue of any such gift, grant, contract, bargain, sale, agreement, stipulation, bond, bill of exchange, promissory note, draft, acceptance, receipt, acknowledgment, undertaking, or security for money, or for, or in respect of any such debt, recognizance, statute, judgment, award, bond, lease, specialty, or simple contract, written or parol, or for, or in respect of any such transaction, dealing, matter, or thing relating to money or liability as aforesaid, shall be equivalent to, and shall be stated as, and shall be liable to be paid, discharged, satisfied, and accounted for by a sum of such Currency of the United Kingdom, in the proportion of one pound of such Currency, for two pounds ten shillings of the

Grenada currency to be converted into sterling, at 250 Exchange.

Currency of Grenada, and of one shilling of such Currency of the United Kingdom, for two shillings and sixpence of the Currency of Grenada, and of one penny of such Currency of the United Kingdom, for twopence half-penny of the Currency of Grenada, in like manner to all intents and purposes, as if such sum in the Currency of the said United Kingdom, to which such sum in the Currency of Grenada is to be and be deemed equivalent, had been mentioned and expressed in any and every such grant, contract, bargain, sale, agreement, stipulation, bond, bill of exchange, promissory note, draft, acceptance, receipt, acknowledgment, undertaking, or security for money, or for, or in respect of any such debt, recognizance, statute, judgment, award, bond, lease, specialty, or simple contract, written, or parol, or for, or in respect of any such transaction, dealing, or other matter or thing relating to money, at the time when such grant, contract, bargain, sale, transaction, dealing, agreement, stipulation, bond, bill of exchange, promissory note, draft, acceptance, receipt, acknowledgment, undertaking, or security for money, debt, recognizance, statute, judgment, award, bond, lease, specialty, or simple contract, written or parol, or other transaction, dealing, matter or thing respectively, was actually acknowledged, confessed, awarded, executed, had, made, done, or entered into, any condition, agreement, or clause, in, or relating to any such grant, contract, bargain, sale, transaction, dealing, matter or thing aforesaid, to the contrary in any wise notwithstanding.

And be it enacted, That from and after the commencement of this Act, all taxes, and all rents and revenues payable to Her Majesty, her heirs and successors, and all other public dues and duties, and revenues whatever, payable in Grenada, shall cease to be estimated in Grenada currency, and shall be converted into the currency of the United Kingdom, and shall be estimated, levied, collected, received, accounted for, and paid to, or by the public Treasurer, or Officer under whose management such duties are collected, accounted for, and paid, in the currency of the United Kingdom, so becoming the currency of Grenada, to be calculated after the rate aforesaid, and that the public debts and annuities, payable by the public, or at the public Treasury, shall cease to be estimated in Grenada currency, and shall be converted into the currency of the United Kingdom, to be calculated in the manner directed by this Act, and shall be estimated, received, paid, and accounted for according to the amount thereof, in the currency of the United Kingdom, so becoming the currency of Grenada, and that all accounts, entries, books, papers, returns, statements, writings, certificates, receipts, and documents whatsoever, relating to the said duties, or to such public debts or annuities, or to any receipts and payments whatever, relating to the same, shall be made up and kept, and stated in the currency of the United Kingdom, to be calculated as aforesaid, and in no other currency, or according to any other amount whatever, any Law, Statute, Usage, or custom to the contrary in any wise notwithstanding.

Provided always, and be it declared and enacted, That this Act, or any thing therein contained, shall not be deemed or held to increase or decrease, alter the quantity of Gold or Silver Coin, to be paid or payable in discharge of, or in any way in reference to the public revenue, or in discharge or in reference to any sum or sums of money, contained or mentioned in any Act or Statute in force, at any time prior to the commencement of this Act, nor in any manner to affect or take away any franchise, right, benefit, privilege, or advantage, resulting from the possession of any lands, tenements, rents, or property of the value mentioned in any Act or Statute, or to increase or decrease, or alter the quantity of Gold or Silver Coin, to be paid or payable in discharge of, or in reference to, any sum or sums of money due or payable at the time of the passing of this Act, or which may become due or payable at any time after the commencement of this Act, under the authority or by virtue of any Usage or Custom, which shall be in force prior to the commencement of this Act, nor to increase or

Clause III.

From the commencement of this Act, all Public Taxes to be calculated by the Treasurer in sterling money; and all public debts, annuities, &c., to be likewise paid in sterling money.

Clause IV.

Proviso.
Act not to alter the quantity of Coin payable in respect of any tax or other debt, nor to affect any franchise, &c., issuing out of land, &c.

decrease, or alter the quantity of Gold or Silver Coin, to be paid in discharge of, or in reference to, any sum or sums of money, contained or mentioned in any Law or Bye-Law of any Corporation, or other public body, or payable under any authority whatsoever, at any time before the commencement of this Act.

Clause V.

Proviso.

Act not to affect contracts, &c., made in the currency of foreign countries.

Provided always, and be it enacted, That nothing herein contained shall prevent any gift, grant, contract, bargain, sale, or dealing for money, or any bill, note, draft, acceptance, receipt, or acknowledgment, for the payment of money, or any other matter or thing relating to money, from being made or had, according to the currency of foreign ports.

Clause VI.

All debts, contracts, &c., arising by implication of law after the commencement of this Act on contracts, &c., entered into before the passing of the Act, shall be construed to be within it.

And be it enacted, That all debts, contracts, liabilities, matters, or things relating to money, at any time after the commencement of this Act, arising by implication of Law, out of, or being founded upon any gifts, grants, contracts, bargains, sales or dealings, matters or things, made, done, or had, prior to the commencement of this Act, shall be held, deemed, and construed to be within the meaning of this Act, as debts, gifts, grants, contracts, liabilities, bargains, sales or dealings, matters or things, made or had, prior to the commencement of this Act, and shall be construed accordingly.

Clause VII.

All coins of the United Kingdom to be current here at the same value as in the United Kingdom.

And be it enacted, That on, and from, and after the commencement of this Act, the several Copper, Silver, and Gold Coins, of the United Kingdom, shall circulate, and be current in Grenada, at the same nominal, as well as real value, as in the said United Kingdom, and not at any other value.

Clause VIII.

Doublons and Dollars to be current at the rate fixed by the Proclamation of the 14th of September, 1838.

And be it enacted, That on, and from, and after the commencement of this Act, the said Spanish, Mexican and Columbian Gold Coins, called Doublons, and the said Spanish, Mexican and Columbian Silver Coins, called Dollars, shall circulate and be current in Grenada, as being of the full value mentioned in the said recited Proclamation of Her Majesty, bearing date the fourteenth day of September, one thousand eight hundred and thirty-eight.

Clause IX.

Island Laws repealed.

And be it enacted, That an Act passed by the Legislature of Grenada, in the year one thousand seven hundred and eighty-seven, entitled "An Act for reducing the value of Bitts, and for preventing the cutting of Dollars into Bitts," and a certain other Act passed by the same Legislature, in the year one thousand seven hundred and ninety, entitled "An Act for reducing the value of Bitts, and for preventing the cutting of Dollars into Bitts," shall be and the same are hereby repealed.

Clause X.

Not to affect any Charter granted or to be granted to any Corporation.

And be it enacted, That nothing herein contained shall affect or be construed to affect the provisions of any Charter granted by his late Majesty, to the Colonial Bank, or the provisions of any Charter granted or to be granted by Her Majesty, her heirs or successors, to any Corporation.

Clause XI.

Not to prevent Her Majesty, her heirs, &c., from altering the rate of currency of Coins.

And be it enacted, That nothing herein contained shall be construed to prevent Her Majesty, her heirs or successors, from altering or varying, from time to time, the rates, at which any Coin or Coins shall be current in Grenada and its Dependencies.

Clause XII.

Act to come into operation on the 1st of January, 1841.

And be it enacted, That this Act shall commence and take effect on, and from, and after the first day of January, one thousand eight hundred and forty-one, and not sooner.

No. XCVII.

Amended by Act, No. 135, and in part repealed by Act, No. 153.

An Act to promote and encourage Steam Navigation between this Island and Great Britain, for conveyance of Mails and Passengers. [9th January, 1841.]—Left to its operation by Order in Council, dated 8th May, 1841.

Preamble.

WHEREAS, it is expedient to permit and encourage a more speedy means of intercourse between this Colony and Great Britain, by Steam Navigation:

Be it enacted by the President, Council and Assembly, and it is hereby enacted and ordained by the authority of the same, That from and after the passing of this Act, all Steam Vessels, employed in carrying the Mails between this and the surrounding Islands and places, shall be permitted to enter the ports of this Island, and again to depart therefrom, free and exempt from all Tonnage Dues and Fees, in the same manner as the present Government Packets are now exempted from these charges.

And be it further enacted, That all Vessels employed in importing Coal, for the use of the Steam Vessels aforesaid, shall be free, and exempt from all Tonnage and other Fees ; Provided always, that such Vessels import no other cargo whatever, and that they take no cargo of any description whatever from the Island, and provided further, that proof be given to the satisfaction of the Public Treasurer and the Officers of the Customs, that the coals, so imported, are solely for the use of the said Steam Vessels ; and that they are deposited in a Depot, to be appropriated exclusively for that purpose.

And be it further enacted, That on the arrival of any such Steam Boat or Vessel, the same shall come to anchor in such place as may be appointed by the Harbour Master ; and that the Commander of the said Steam Boat or Vessel, or the next Chief Officer, shall deliver to the Public Treasurer, and also to the Collector of Her Majesty's Customs, at the port of entry, manifests of all Goods, Wares and Merchandize, on board the said Steam Boat or Vessel, intended to be landed in this Colony ; specifying the marks and numbers, the nature and contents of the Packages, as far as he is able to ascertain the same ; together with the names of the Shippers, and the party to whom consigned ; and that no goods be landed from the said Steam Boat or Vessel, but by permission from the Collector of her Majesty's Customs, and under such regulations as are at present, or shall in future, be established by the Annual Money Bill.

Clause I.
Steam Vessels employed in carrying the Mails between these Islands, to be exempt from all Port dues.

Clause II.
Vessels importing Coals for the use of such Steam Vessels, without importing or carrying away any other cargo,—and proof being given to the Public Treasurer, and Customs Officers, that such coals are solely for the use of such Steam Vessels, to be exempt from all Port dues.

Clause III.
Such Steam Vessels, on their arrival, to come to an anchor at such place as may be appointed by the Harbour-Master ; and the Commander, or next Officer to deliver to the Public Treasurer, and the Officers of Her Majesty's Customs, a manifest of the cargo in such vessels, and no such goods to be landed, but by the permission of the Collector of Her Majesty's Customs, and under such regulations as may be established by the Annual Money Bill.

No. XCVIII.

An Act to alter and amend the several Harbour Acts, authorizing the erection of Jetties for the accommodation of Her Majesty's Steam, and other Vessels, and of the Royal Mail Steam Packet Company. [April 8, 1841.]—Left to its operation by Order in Council, dated 11th August, 1841.

Vide Acta,
Nos. 9.
19.
22.
39.
40.
69.

WHEREAS, by the first Clause of an Act of these Islands, passed on or about the twenty-first day of October, One Thousand Seven Hundred and Eighty-five, and entitled, " An Act to amend an Act, intituled, An Act for the preservation of the Harbour, and Bay of Saint George, appointing regulations to be observed by Masters of Ships and other Vessels coming into and anchoring ; for empowering the Commander-in-Chief, to appoint a Harbour Master, and for fixing his salary ; and for limiting the boundaries of Town Lots, and Wharfs, from encroaching on the said Harbour," it was enacted, that the buttings and boundaries of the said Harbour of Saint George, should be as follows, that is to say, on the Saint George's side, by a line to be drawn and staked down by a sworn surveyor or surveyors, in the presence and under the direction of certain Commissioners named in the said Act, viz. : Beginning at a stake or post, which shall be placed in the said harbour, near to, and, at a convenient depth of water, from the projecting point rock, at the landing near the Fort Hospital, and running from thence, by straight lines in various directions along to the eastward, round the head of the harbour towards Montserrat, and from thence, tending southerly to a stake or post that should be placed at a convenient depth of water, nearest the landing at the angle or corner called

Preamble.

Revises Act. No. 19.

Paterson's Point, and that the various courses and distances of the said boundary line, should be, and they were thereby directed to be marked, and distinguished by the said surveyor or surveyors, by driving a strong pile or post, at every angle which terminates and connects the said straight lines respectively, numbering the said boundary posts from the first beginning post, near the Hospital point, to the last post at or near Paterson's Point; And whereas, by the sixth Clause of the said Act, it was, amongst other things, enacted, that from, and after the publication of the said Act, if any person or persons should remove, or cause to be removed, or in any way, wilfully injure any one or more of the Boundary posts or stakes, hereinbefore mentioned, or should presume to encroach on the harbour, by erecting or projecting any wharf, or other building, beyond the said Boundary line, he, she, or they, so offending, on being convicted thereof, should pay a fine not exceeding one hundred pounds (late) current money, recoverable in any of His Majesty's Courts of Record in this Island, one half to be paid into the Public Treasury of this Island, for the public uses thereof, the other half to the Harbour Master for the time being, who is thereby required and directed to sue for the same; And whereas, by the first Clause of a certain other Act of these Islands, passed on or about the twentieth day of August, One Thousand Eight Hundred and Thirty-one, entitled, "An Act to extend the limits of the Bay and Harbour of Saint George, in respect to the Commissioners thereof," it was enacted, that from and after the passing of the now reciting Act, the limits and boundaries of the said Bay and Harbour, should be understood to extend from the point of land called, or known by the name of, Point Molinier, upon the Northward, to the Point de Salines, upon the Southward, any thing in the thereinbefore and hereinbefore mentioned Act, or in any other, to the contrary notwithstanding; And whereas, it is expedient that provision should be made, for allowing the erection of Jetties, Mounds, or Wharfs, in the said Harbour, for the accommodation of Her Majesty's Steam Vessels, and those of the Royal Mail Steam Packet Company; Be it therefore enacted, by His Honor Matthew Davies, President and Commander-in-Chief, in and over the Island of Grenada, and its Dependencies, the Council and Assembly of the same, That it shall and may be lawful for the Commissioners of the said Harbour, for the time being, or the majority of them, by writing, under their hands, with the consent of the Governor, or Commander-in-Chief, for the time being, of Grenada, to authorize the erection of any Jetties, Mounds, or Wharfs, in the said Harbour, by the owner or owners, of the adjoining soil or premises, at his, her, or their own cost and expense, for the accommodation of Her Majesty's Steam and other Vessels, or of the Royal Mail Steam Packet Company; Provided always, that no such Jetty, Mound, or Wharf, or other erection, shall in any way interfere with, or obstruct the anchorage or navigation of Vessels trading to, or frequenting the said Harbour.

Recites Act, No. 69.

Clause I.
Authority to be granted by the Commissioners of the Harbour of Saint George, in writing, under their hands, and subject to the consent of the Governor, or Commander-in-Chief, for the time being, for the erection of Jetties, &c., for the accommodation of Her Majesty's Steam and other vessels, and of the Royal Mail Steam Packet Company.
Provido.
Such Jetty, &c., not to obstruct the anchorage or navigation of vessels trading to the said Harbour.

No. XCIX.

An Act for the amendment of the Laws with respect to Wills [July 14, 1841].—Left to its operation by Order in Council, dated 15th January, 1842.

Preamble.

Recites 7 William IV, and 1 Victoria, c. 36.

Clause I.

WHEREAS, an Act was passed in the Session of Parliament, held in the seventh year of the Reign of his late Majesty, King William the Fourth, and in the fifth year of the Reign of Her Majesty the Queen, intituled, "An Act for the amendment of the Laws with respect to Wills," and it is expedient to enact, in this Colony, such of the provisions of the said Act, as are applicable thereto; Be it therefore enacted, by His Excellency the

Lieutenant-Governor, the Council, and Assembly of the Island of Grenada, and its Dependencies, and it is hereby enacted by the authority of the same, That the words and expressions hereinafter mentioned, which in their ordinary signification, have a more confined, or a different meaning, shall, in this Act, except where the nature of the provision, or the context of the Act, shall exclude such construction, be interpreted as follows, that is to say: the word "Will," shall extend to a testament, and to a codicil, and to an appointment, by Will, or by writing in the nature of a Will, in exercise of a power, and also, to a disposition, by Will and Testament, or devise of the custody and tuition of any child, by virtue of an Act, passed in the twelfth year of the Reign of King Charles the Second, intituled, "An Act for taking away the Court of Wards and Liveries, and tenures in Capite, and by Knights service and purveyance, and for settling a Revenue upon His Majesty, in lieu thereof," and to any other testamentary disposition, and the words "real estate," shall extend to messuages, lands, rents, and hereditaments, whether freehold, or of any other tenure, and whether corporeal, incorporeal, or personal, and to any undivided share thereof, and to any estate, right, or interest (other than a chattel interest) therein, and the words "personal estate," shall extend to Leasehold Estates, and other chattels, real, and also to monies, shares of Government, and other funds, securities for money, (not being real estates,) debts, choses in action, rights, credits, goods, and all other property whatsoever, which, by law, devolves upon the Executor, or Administrator, and to any share therein; and every word, importing the singular number, only, shall extend, and be applied, to several persons or things, as well as one person or thing; and every word, importing the masculine gender, only, shall extend, and be applied, to a female, as well as a male.

Meaning of certain words in this Act.

Vis.: Will.

Real Estate.

Personal Estate.

Number.

Gender.

And be it further enacted, That so much of an Act, passed by the Legislature of Grenada, in the year One Thousand Seven Hundred and Seventy, intituled, "An Act to extend an Act of Parliament, made in the twenty-ninth year of the Reign of the late King Charles the Second, intituled, "An Act for prevention of frauds and perjuries," unto the Islands "of Grenada and the Grenadines, and to enforce the same;" and of an Act, passed by the Legislature of Grenada, in the year One Thousand Seven Hundred and Eighty-four, intituled, "An Act for removing doubts, with respect to the Laws which are to be deemed in force in these Islands, upon their restitution to the Crown of Great Britain," as relates to devises or bequests of lands or tenements, or to the revocation, or alteration, of any devise in writing of any lands, tenements, or hereditaments, or any other clause thereof, or to the devise of any estate, *pur autre vie*, or to any such estate, being assets, or to nuncupative Wills, or to the repeal, altering or changing of any Will in writing, concerning any goods, or chattels, or personal estate, or any clause, devise, or bequest therein, shall be, and the same are hereby, repealed, except, so far as the same Acts, or either of them, relate to any Wills or Estates, *pur autre vie*, to which this Act does not extend.

Clause II.
Repeal of certain Acts, (No. 6.) except so far as they relate to any Wills or Estates, *pur autre vie*, to which this Act does not extend.

[Since repealed by Act, No. 157.]

And be it further enacted, That it shall be lawful for every person to devise, bequeath, or dispose of, by his Will, executed in manner hereinafter required, all real estate, and all personal estate, which he shall be entitled to, either at law or in equity, at the time of his death, and which, if not so devised, bequeathed, or disposed of, would devolve upon the Heir-at-law of him, or, if he became entitled by descent of his ancestor, or upon his executor or administrator, and that the power hereby given, shall extend to Estates, *pur autre vie*, whether there shall, or shall not be any special occupant thereof; and whether the same shall be freehold, or of any other tenure; and whether the same shall be a corporeal or an incorporeal hereditament, and also, to all contingent Executory, or other future interests in any real or personal estate, whether the Testator may, or may not be ascertained, as the person, or one of the persons, in whom the same,

Clause III.
All property may be disposed of by Will.

respectively, may become vested ; and whether he may be entitled thereto, under the instrument by which the same respectively were created, or, under any disposition thereof, by deed or will, and also to all rights of entry for conditions broken, and other rights of entry, and also to such of the same Estates, interests, and rights respectively, and other real and personal estate, as the testator may be entitled to, at the time of his death, notwithstanding that he may become entitled to the same subsequently to the execution of his Will.

Clause IV.
Estates pur autre
vie.

And be it further enacted, That if no disposition by Will shall be made of any Estate, pur autre vie, of a freehold nature, the same shall be chargeable in the hands of the Heir, if it shall come to him by reason of special occupancy as assets by descent, as in the case of freehold land in fee simple, and in case there shall be no special occupant of any Estate, pur autre vie, whether freehold or of any other tenure, and whether a corporeal or incorporeal hereditament, it shall go to the executor or administrator of the party that had the Estate, thereof, by virtue of the grant, and if the same shall come to the executor or administrator, either by reason of a special occupancy, or by virtue of this Act, it shall be assets in his hands, and shall go and be applied and distributed in the same manner as the personal Estate of the Testator or Intestate.

Clause V.
No will of a minor
valid.

And be it further enacted, That no Will made by any person under the age of twenty-one years shall be valid.

Clause VI.
Nor of a married
woman.

Provided also, and be it further enacted, That no Will made by any Married Woman shall be valid, except such a Will as might have been made by a Married Woman before the passing of this Act.

Clause VII.
Every will to be in
writing, and signed
in the presence of
two witnesses.

And be it further enacted, That no Will shall be valid unless it shall be in writing, and executed in manner hereinafter mentioned (that is to say), it shall be signed at the foot or end thereof, by the Testator, or by some other person in his presence, and by his direction, and such signature shall be made or acknowledged by the Testator, in the presence of two or more witnesses present at the same time, and such witnesses shall attest and shall subscribe the Will in the presence of the Testator, but no form of attestation shall be necessary.

Clause VIII.
Appointments by
Will to be executed
like other Wills.

And be it further enacted, That no appointment made by Will, in exercise of any power, shall be valid, unless the same be executed in manner hereinbefore required ; and every Will executed in manner hereinbefore required, shall, so far as respects the execution and attestation thereof, be a valid execution of a power of appointment by Will, notwithstanding it shall have been expressly required, that a Will made in exercise of such power, should be executed with some additional or other form of execution or solemnity.

Clause IX.
Publication not to
be requisite.

And be it further enacted, That every Will executed in manner hereinbefore required, shall be valid without any other publication thereof.

Clause X.
Will not void by
incompetency of
witness.

And be it further enacted, That if any person who shall attest the execution of a Will, shall, at the time of execution thereof, or at any time afterwards, be incompetent to be admitted a witness to prove the execution thereof, such Will shall not, on that account, be invalid.

Clause XI.
Gifts to an attesting
witness to be void.

And be it further enacted, That if any person shall attest the execution of any Will, to whom or to whose Wife or Husband any beneficial devise, legacy, estate, interest, gift or appointment of, or affecting any real or personal estate (other than and except charges and directions for the payment of any debt, or debts) shall be thereby given or made ; such devise, legacy, estate, interest, gift or appointment, shall, so far only, as concerns such person attesting the execution of such Will, or the Wife or Husband of such person, or any person, claiming under such person, or Wife or Husband, be utterly null and void : and such person, so attesting, shall be admitted as a witness to prove the execution of such Will, or to prove the validity or invalidity thereof, notwithstanding such devise, legacy, estate, interest, gift or appointment, mentioned in such Will.

And be it further enacted, That in case by any Will, any real or personal estate shall be charged with any debt or debts, and any Creditor, or the Wife or Husband of any Creditor, whose debt is so charged, shall attest the execution of such Will, such Creditor, notwithstanding such charge, shall be admitted a witness, to prove the execution of such Will, or to prove the validity or invalidity thereof.

Clause XII.
Creditor attesting,
to be admitted a
witness.

And be it further enacted, That no person shall, on account of his being an executor of a Will, be incompetent to be admitted a witness to prove the execution of such Will, or a witness to prove the validity or invalidity thereof.

Clause XIII.
Executor to be ad-
mitted a witness.

And be it further enacted, That every Will made by a Man or Woman, shall be revoked by his or her marriage (except a Will made in exercise of a power of appointment, when the real or personal estate, thereby appointed, would not, in default of such appointment, pass to his or her Heir, Executor or Administrator, or the person entitled as his or her next of kin, under the statute of Distributions.)

Clause XIV.
Will to be revoked
by marriage.

And be it further enacted, That no Will shall be revoked by any presumption of an intention, on the ground of an alteration in circumstances.

Clause XV.
No Will to be re-
voked by presump-
tion.

And be it further enacted, That no Will or Codicil, or any part thereof, shall be revoked otherwise than as aforesaid, or by another Will or Codicil, executed in manner hereinbefore required, or by some writing declaring an intention to revoke the same, and executed in the same manner in which a Will is hereinbefore required to be executed, or by the burning, tearing or otherwise destroying the same, by the Testator, or by some person in his presence, and by his direction, with the intention of revoking the same.

Clause XVI.
In what cases Wills
may be revoked.

And be it further enacted, That no obliteration, interlineation, or other alteration made in any Will, after the execution thereof, shall be valid, or have any effect, except, so far as the words or effect of the Will, before such alteration, shall not be apparent, unless such alteration shall be executed in like manner as hereinbefore is required for the execution of the Will; but the Will, with such alteration as part thereof, shall be deemed to be duly executed, if the signature of the Testator, and the subscription of the witnesses be made in the margin, or on some other part of the Will opposite, or near to such alteration, or at the foot or end of, or opposite to a memorandum referring to such alteration, and written at the end or some other part of the Will.

Clause XVII.
No alteration in a
Will shall have any
effect unless exe-
cuted as a Will.

And be it further enacted, That no Will or Codicil, or any part thereof, which shall be in any manner revoked, shall be revived otherwise than by the re-execution thereof, or by a Codicil executed in manner hereinbefore required, and showing an intention to revive the same; and when any Will or Codicil, which shall be partly revoked, and afterwards wholly revoked, shall be revived, such revival shall not extend to so much thereof, as shall have been revoked before the revocation of the whole thereof, unless, an intention to the contrary shall be shown.

Clause XVIII.
How revoked Will
shall be revived.

And be it further enacted, That no Conveyance or other Act, made or done, subsequently to the execution of a Will of, or relating to, any real or personal estate therein comprised, except an Act by which such Will shall be revoked as aforesaid, shall prevent the operation of the Will, with respect to such estate or interest, in such real or personal estate, as the testator shall have power to dispose of, by Will, at the time of his death.

Clause XIX.
When a devise not
to be rendered in-
operative, &c.

And be it further enacted, That every Will shall be construed with reference to the real estate, and personal estate, comprised in it, to speak and take effect as if it had been executed immediately before the death of the testator, unless a contrary intention shall appear by the Will.

Clause XX.
A Will to speak
from the death of
the Testator.

And be it further enacted, That unless a contrary intention shall appear by the Will, such real estate, or interest therein, as shall be comprised or intended to be comprised in any devise in such Will contained, which shall be void or be void by reason of the death of the Devisee in the life time of the

Clause XXI.
What a residuary
Devise shall in-
clude.

Testator, or by reason of such devise being contrary to law, or otherwise incapable of taking effect, shall be included in the residuary devise (if any) contained in such Will.

Clause XXII.
What a general De-
vise shall include.

And be it further enacted, That a devise of the land of a Testator, or of the land of the Testator in any place, or in the occupation of any person mentioned in his Will, or otherwise described in a general manner, and any other general devise, which would describe a Leasehold Estate, if the Testator had no Freehold Estate which could be described by it, shall be construed to include the Leasehold Estates of the Testator, or his Leasehold Estates to which such description shall extend, as the case may be, as well as Freehold Estates, unless a contrary intention shall appear by the Will.

Clause XXIII.
What a general gift
shall include.

And be it further enacted, That a general devise of the real Estate of the Testator, or of the real Estate of the Testator in any place, or in the occupation of any person mentioned in his Will, or otherwise described, in a general manner, shall be construed to include any real estate, or any real estate to which such description shall extend (as the case may be), which he may have power to appoint, in any manner he may think proper, and shall operate as an execution of such power, unless a contrary intention shall appear by the Will, and in like manner, a bequest of the personal estate of the Testator, or any bequest of personal property, described in a general manner, shall be construed to include any personal estate, or any personal estate to which such description shall extend (as the case may be), which he may have power to appoint in any manner he may think proper, and shall operate as an execution of such power, unless, a contrary intention shall appear by the Will.

Clause XXIV.
How a Devise, with-
out words of limi-
tation, shall be con-
strued.

And be it further enacted, That where any real estate shall be devised to any person, without any words of limitation, such devise shall be construed to pass the fee simple, or other the whole estate or interest which the Testator had power to dispose of by Will in such real estate, unless a contrary intention shall appear by the Will.

Clause XXV.
How the words "die
without issue," or
"die without leav-
ing any issue," shall
be construed.

And be it further enacted, That in any devise or bequest of real or personal estate, the words "die without issue," or "die without leaving issue," or "have no issue," or any other words which may import either a want or failure of issue of any person in his life time, or at the time of his death, or an indefinite failure of his issue, shall be construed to mean a want or failure of issue in the life time, or at the time of the death of such person, and not an indefinite failure of his issue, unless, a contrary intention shall appear by the Will, by reason of such person having a prior estate tail, or of a preceding gift, being without any implication arising from such words, a limitation of an estate tail to such person, or issue, or otherwise, Provided, that this Act shall not extend to cases where such words as aforesaid import, if no issue described in a preceding gift, shall be born, or if there shall be no issue, who shall live to attain the age or otherwise answer the description required, for obtaining a vested estate, by a preceding gift, to such issue.

Clause XXVI.
No Devise to Trus-
tee or Executor,
except &c., shall
pass a chattel inter-
est.

And be it further enacted, That where any real estate shall be devised to any Trustee or Executor, such devise shall be construed to pass the fee simple, or other the whole estate or interest, which the Testator had power to dispose of, by Will, in such real estate, unless a definite term of years, absolute or determinable, or an estate of freehold, shall thereby be given to him expressly or by implication.

Clause XXVII.
Trustees under un-
limited Devise, &c.,
to take the fee.

And be it further enacted, That where any real estate shall be devised to a Trustee, without any express limitation of the estate, to be taken by such Trustee, and the beneficial interest in such real estate, or in the surplus rents and profits thereof, shall not be given to any person for life; or such beneficial interest, shall be given to any person for life, but the purposes of the trust may continue beyond the life of such person, such devise shall be construed to vest in such Trustee, the fee simple, or other the whole legal estate, which the Testator had power to dispose of by Will, in such

real estate, and not an estate determinable, when the purposes of the trust shall be satisfied.

And be it further enacted, That when any person to whom any real estate shall be devised for an estate tail, or an estate in quasi entail, shall die in the life time of the Testator, leaving issue who would be inheritable under such entail, and any such issue shall be living at the time of the death of the Testator, such devise shall not lapse, but shall take effect as if the death of such person had happened immediately after the death of the Testator, unless, a contrary intention shall appear by the Will.

Clause XXVIII.
Devise of Estate
Tail shall not lapse.

And be it further enacted, That where any person being a child or other issue of the Testator, to whom any real or personal estate shall be devised or bequeathed for any estate or interest not determinable at or before the death of such person, shall die in the life time of the Testator, leaving issue, and any such issue of such person, shall be living at the time of the death of the Testator, such devise or bequest shall not lapse, but shall take effect as if the death of such person had happened immediately after the death of the Testator, unless, a contrary intention shall appear by the Will.

Clause XXIX.
Gifts to children or
other issue, who
leave issue living at
the Testator's death
shall not lapse.

And be it further enacted, That this Act shall not extend to any Will made before the first day of January, one thousand eight hundred and forty-two, and that every Will re-executed or re-published or revived by any Codicil, shall, for the purposes of this Act, be deemed to have been made at the time at which the same shall be so re-executed, re-published, or revived, and that this Act shall not extend to any estate, pur autre vie, of any person, who shall die before the first day of January, one thousand eight hundred and forty-two.

Clause XXX.
To what Wills and
Estates this Act
shall not extend.

No. C.



An Act to repeal an Act entitled "An Act to render valid and legal, all Marriage Ceremonies performed by Ministers of the Presbyterian Church, duly authorized Priests of the Roman Catholic Religion, Wesleyan Missionaries, and licensed Ministers of every denomination of Christians, and to provide for the legal Registration of all Marriages, Baptisms, and Funerals performed by other than Clergymen of the established Church," and for the better regulation of Marriages. [September 13, 1841.]—Confirmed by Order in Council, dated 2nd February, proclaimed at Grenada, April 20, 1842.

WHEREAS, since the Abolition of Slavery, the Marriage Laws of the Colony have been found inappropriate to the altered state and condition thereof, and inadequate to the increased desire for lawful Matrimony therein; And whereas it is expedient and necessary, to amend the said Marriage Laws, and adapt the same to the altered state and condition of Society, in this Colony:

Preamble.

Be it therefore enacted, by His Excellency the Lieutenant-Governor, the Council and Assembly of the Island of Grenada, and its Dependencies, and is hereby enacted by the authority of the same, that an Act passed by the Legislature of this Colony, on the tenth day of October, one thousand eight hundred and thirty-eight, intituled, "An Act to render valid and legal all Marriage Ceremonies performed by Ministers of the Presbyterian Church, duly authorized Priests of the Roman Catholic Religion, Wesleyan Missionaries, and licensed Ministers of every denomination of Christians, and to provide for the legal Registration of all Marriages, Baptisms, and Funerals, performed by other than Clergymen of the established Church," shall be and the same is hereby repealed.

Clause I.
Act passed on 10th
October, 1838, here-
by repealed.

And be it further enacted, That from and after the commencement of

Clause II.

Ministers of the Christian Religion of every persuasion authorised to solemnise Matrimony between parties on the publication of Banns, according to the regulation here-in contained.

Mode of publishing such Banns, and regulations to be observed when the parties to be married are of different persuasions, or of different Parishes.

Proviso.
Form of declaration to be made when the ceremony used shall be different from that of the united church of England and Ireland.

Clause III.
Parties about to be married to deliver to the Minister two days previous to such Marriage, their christian and surnames, and places of respective abode, &c.

this Act, it shall be lawful for any Minister of the Christian Religion, ordained or otherwise set apart to the Ministry of the Christian Religion, according to the usage of the persuasion to which he may belong, to publish within this Colony, Banns of Marriage between persons desirous of being joined together in Matrimony, and such publication shall be made in an audible manner, sometime during public Divine Service on a Sunday, in the face of the Congregation before whom such Minister shall officiate, in the Parish in which both, or one of the parties to be married, shall dwell, and shall contain the Christian and other name, and surname, and place of abode, of each of the said parties, and it shall be so published by some such Minister, for three Sundays preceding the solemnization of the Marriage, during the Morning Service, if there be service in the Morning, or if there be no Morning Service, then during the Evening Service, and if the parties to be married shall dwell in different Parishes, the Banns shall be published in like manner, in both such Parishes, and if the said parties, shall be of different persuasions, the Banns shall be published in like manner, before each of the Congregations to which the said parties may respectively belong, whether both the said Congregations shall assemble in the same Parish or not, and where one or both of the parties shall dwell in any extra parochial place, then if there be a congregation of the persuasion, to which any such party shall belong, assembling for public Divine Worship as aforesaid, in such extra parochial place, the Banns of the party or parties dwelling in such extra parochial place, shall be published in manner aforesaid in such extra parochial place, and if there shall be no such Congregation, in such extra parochial place, then the Banns of such of the parties to be married, as shall dwell in such extra parochial place, shall be published in manner aforesaid in some Parish next adjoining to such extra parochial place, and in cases where the Banns shall have been published in different places, the Officiating Minister at either of the said places shall, on the request of both, or either of the parties, whose Banns shall have been published as aforesaid, give to the party requiring the same, a Certificate of the Banns having been duly published, in the place of which he is an Officiating Minister, and, on the production of such Certificate to the Officiating Minister of the other place where the Banns were published, or of such Certificates to any other such Minister as aforesaid, in the parish or extra parochial place, to which one of the parties shall belong, it shall be lawful for such Minister where the Banns are published, on receiving such certificate from such other Minister where the banns were published or for such Minister as aforesaid to whom the Certificates of such Ministers of both places, where the Banns were published, on receipt of such Certificate or Certificates (as the case may be), to solemnize matrimony between the said parties, according to such form and ceremony as shall be in use, or be adopted by the persuasion to which the Minister solemnizing the same shall belong. Provided that wherever the form and ceremony used, shall be other than that of the United Church of England and Ireland, each of the parties shall, in some part of the ceremony, make the following Declaration :—

“ I do solemnly declare, that I know not of any lawful impediment, why I, A. B. may not be joined in Matrimony to C. D., here present.”

And each of the parties shall say to the other :—

“ I call upon these persons here present to witness that I A. B. do take thee C. D. to be my lawful wedded Wife (or Husband.)

And it is hereby further enacted, That no Minister shall be obliged to publish Banns, between any person whomsoever, unless the persons to be married shall two days at the least before the time required for the first publication of such Banns, respectively, deliver or cause to be delivered to such Minister, a Notice of their true Christian and other Names and Surnames, and a description of their place or respective places of abode in such parish or extra-parochial place as aforesaid, and of the time during which they have dwelt in such place or places ; and that it shall not be lawful for

any Minister to solemnize any Marriage after three Calendar Months, from the last publication of Banns of such Marriage, and in all cases where three Calendar Months shall have elapsed, without the Marriage having been solemnized, the publication of such Banns shall be void, and before the said parties can be married by Banns, it shall be necessary to republish Banns anew, in manner and form aforesaid, as if no Banns had ever been published between them.

And it is hereby further enacted, That no such Minister as aforesaid who shall solemnize any Marriage, after due publication of Banns, as aforesaid, between persons both or one of whom (not being a Widow or Widower), shall, at the time of such Marriage, be under legal age, shall be answerable or responsible, or liable to any pain, penalty, or proceeding, for having solemnized such Marriage without the consent of the parents or guardians or other person (if any), whose consent is required by law, unless such parents or guardians, or other person, or one of them, shall forbid the Marriage, and give notice thereof to such Minister before he has solemnized the same; and in case such Marriage shall be forbidden as aforesaid, and such notice shall be given as aforesaid, the publication of the Banns for such Marriage, shall be absolutely void.

And it is hereby further enacted, That where, by any law in force, or which may hereafter be in force in this Colony, by which Licenses for marriage without the publication of Banns, may be granted, or issued in this Colony, by the Governor thereof, or any other civil authority therein; it shall be lawful for the parties intending marriage or either of them, to require that such license shall authorize the solemnization of the marriage, in respect of which such license is applied for, in any place where, and by any Minister by whom such marriage could have been solemnized, by virtue of this Act, if Banns thereof had been published as aforesaid.

And whereas it may happen, that the parents or parent, guardians or guardian, of one or both of the parties to be married, may be non compos mentis, or absent from the Colony, or otherwise incapable in law or in fact, of consenting, or may be induced unreasonably and improperly, to withhold his, her, or their consent to a proper marriage, or may be dead; Be it therefore enacted, that in case any such parent or guardian, whose consent is necessary to a marriage, shall be non compos mentis, or absent from the Colony, or otherwise incapable as aforesaid of consenting, or shall withhold his, her or their consent, to any marriage, or in case there shall be no person capable of consenting, it shall be lawful for any person desirous of marriage, to whose marriage such consent is necessary, but cannot be given, or is withheld, to apply by petition to the Chancellor for the time being of the Colony, who is hereby empowered to proceed upon such petition in a summary way, and in case the marriage proposed shall, upon examination, appear to him to be proper, the said Chancellor shall judicially declare by his order in writing that such marriage is proper, and may be solemnized forthwith; and every marriage duly solemnized, in pursuance or under the authority or direction of such order, shall be as good, valid, and effectual to all intents and purposes whatsoever, as if such consent as aforesaid had been duly given thereto.

And it is hereby further enacted, That after the solemnization of any marriage, under, or by virtue of this Act, it shall not be necessary in support of such marriage, or in any Action, Suit or proceeding, where the same may come into question, to give any proof of the actual dwelling of the parties married, or of either of them before the marriage, or that the Banns were published, or that the marriage was solemnized in the place and by a person where and by whom the same ought to have been published and solemnized respectively, nor shall any evidence be received to prove the contrary.

And it is hereby further enacted, That in no case whatsoever shall any suit or proceeding be had in any Court, or before any Jurisdiction whatsoever.

No minister to solemnize any marriage after three Calendar months from the last publication of Banns, without a republication thereof.

Clause IV.
No minister after due publication of Banns, responsible for having married parties under legal age, without consent of parents or guardians, unless forbid by them.

Clause V.
Parties to be married by license may require such license to authorize the solemnization thereof by any Minister, or in any place, as if they were to be married after the publication of Banns.

Clause VI.
Parties prevented by incompetent, &c., parents or guardians from a proper marriage, to apply by petition to the Chancellor, who, if he sees no impediment shall authorize the solemnization thereof.

Clause VII.
No proof necessary after the solemnization of marriage under this Act, for the support of such marriage as to the previous place of abode of the parties, or of the circumstances of such marriage.

Clause VIII.
No proceeding to be

had to compel a marriage under any circumstances. ever to compel the celebration of any marriage, by reason of any promise, or marriage contract entered, into, or by reason of seduction, or of any cause whatsoever, which shall arise after the taking effect of this Act, any law or usage to the contrary notwithstanding; Provided always that nothing herein contained, shall prevent any person aggrieved, from suing for, or recovering damages, in any Court, or by any proceeding, wherein and whereby, damages may be lawfully recovered, for breach of promise of marriage, or for seduction, or other cause as aforesaid.

Proviso.
Damages may be sued for, for breach of promise &c.

Clause IX.
Regulations as to the performance of the ceremony of Marriage, and the registration thereof.

And in order to preserve evidence of marriages, and to make the proof thereof certain and easy, and for the direction of such Ministers as aforesaid in the registration thereof; It is hereby further enacted, that from and after the commencement of this Act, all marriages (except marriage by license of the Governor to marry at any time and place where such licenses can be lawfully granted), shall be solemnized with open doors between the hours of (eight) in the forenoon, and (four) in the afternoon, in the presence of two or more credible Witnesses, beside the Minister who shall solemnize the same, and that immediately after the solemnization of every marriage, an entry thereof shall be made in a Marriage Register Book, to be kept for that purpose by such Minister, and in every such entry, in every such Register it shall be expressed, that the marriage was had by Banns or License; and if both or either of the parties married by License be under age, and not a widow or widower, that it was had with the consent of the parents, or guardians or other person or persons having lawful authority to withhold consent to the marriage, or after such order of the Chancellor as aforesaid, and shall be signed by such Minister with his proper addition, and by the parties married, and shall be attested by such two Witnesses, and every such entry shall be in the form or to the effect of the following specimen :—

ORIGINAL REGISTER.

Form of Original Register. 1841. Marriages solemnized at the Town of Saint George, in the Colony of Grenada,

1841.

No.	When Married.	Names and Surnames.	Ages.	Condition.	Rank or Profession.	Residence at the time of Marriage.	After Banns or License.	Consent by whom given, Chancellor's order.
1	August 1, 1841.	John Williams. Lucy Chambers.	Full Age. Minor.	Bachelor. Spinster.	Carpenter.		After Banns.	Henry Chambers the Father.

Married, in the Wesleyan Chapel, at the Town of Saint George, aforesaid, after Banns, by me, A. B., Wesleyan Minister.

This Marriage was solemnized between us . . { JOHN WILLIAMS.
LUCY CHAMBERS. }

In the presence of us { C. D.
E. F.

A Duplicate Original to be made and attested, &c., by the parties making the Original Register. And of every such entry at the same time before the parties depart, shall then and there be made on a separate piece of paper, parchment, or vellum, a Duplicate Original Register, in which the same matter shall be entered and signed, and attested by the same parties in manner or to the effect of the following specimen :—

DUPLICATE ORIGINAL REGISTER.

1841. Marriages solemnized at the Town of Saint George, in the Colony of Grenada, Form of Duplicate Original Register.

1841.

No.	When Married.	Names and Surnames.	Ages.	Condition.	Rank or Profession.	Residence at the time of Marriage.	After Banns or License.	Consent by whom given, Chancellor's order.
1	August 1, 1841.	John Williams. Lucy Chambers.	Full age. Minor.	Bachelor. Spinster.	Carpenter.		After Banns.	Henry Chambers the Father.

Married, in the Wesleyan Chapel, at the Town of Saint George, aforesaid, after Banns, by me, A. B., Wesleyan Minister.

This Marriage was solemnized between us . . . { JOHN WILLIAMS.
LUCY CHAMBERS. }

In the presence of us { C. D.
E. F. }

Examined with the Original Register by me, and found to be correct.

—A. B.

Which said Duplicate Original Register shall be left in the hands of the Minister by whom the Marriage was solemnized, and every such Duplicate Original Register, shall within one Calendar month from the date thereof, be transmitted to the Colonial Secretary of the Colony, if there be one, and all such Duplicates shall be filed and safely preserved by him in his Office; and every such Original Register, and also every copy thereof certified under the hand of the Minister, who for the time being shall have the lawful custody of the Original, to be a true copy, and every such Duplicate Original Register, and also every Copy thereof certified under the hand of such Colonial Secretary to be a true Copy, shall respectively be good evidence of the facts therein recorded in pursuance of this Act, in and before all Courts and proceedings whatsoever in which it shall be necessary to give evidence of the marriage to which the same shall relate.

And it is hereby further enacted, That it shall be lawful for all persons, at all reasonable times in the day (except Sundays), to search the Original Register Book, and also the file of Duplicate Original Registers, in the presence of the person for the time being having the care of the same respectively, or his Deputy, and to have a true Copy or true Copies of any entries or entry therein, or filed as aforesaid, certified under the hand of the Minister, or Officer for the time being respectively, having the custody of the Original or Duplicate Original Register as aforesaid (as the case may be), which true Copies or Copy such Minister or Colonial Secretary is hereby required to make, examine, and certify under his hand to be a true Copy, in the form of the Duplicate Original Register, except that the same shall be headed, "Certified Copy (or Copies) of Original (or Duplicate Original,) Marriage Register" (as the case may be,) and shall be dated on the day, month, and year, when the same shall be delivered.

And it is hereby further enacted, That in order to meet the expense, and as a remuneration for the trouble occasioned by the performance of any duty under this Act, the following fees shall be demandable and payable, before the performance of the duty to which the same respectively relate, that is to say :—For Registering a Marriage and transmitting the Duplicate Original to the Colonial Secretary, four shillings; for every general search not directed to any particular entry, two shillings; for every search for a particular Entry, one shilling; for every such certified Copy as aforesaid, four shillings. Provided always that nothing in this Act contained, shall authorize or require any Clergyman of the Established Church

Such Duplicate Original Register to be left with the solemnizing Minister by whom it shall within one Calendar month be transmitted to the Colonial Secretary. Such Original and Duplicate Original Registers or copies thereof properly attested to be received as proof of the marriage therein mentioned.

Clause X.
The Original Register and file of Duplicate Original Registers open to the search of all persons in the presence of the parties having charge of the same respectively, who are authorized to grant certified copies thereof.

Clause XI.
Schedule of fees for duties performed under this Act.

Proviso.
Clergyman of Church of England

and Ireland, to solemnize Marriage only as prescribed by the Rubric.

Clause XII.

Persons wilfully or maliciously erasing or obliterating the Registers, guilty of a misdemeanor, and how punishable.

Persons forging such Registers how punishable.

Clause XIII.

All marriages which were solemnized previous to the passing of this Act, by other than clergymen of the established Church declared legal and effectual.

Minister indemnified for solemnizing such marriages.

Proviso.

When parties have been subsequently married, the former reputed marriage declared not legal.

Clause XIV.

All Registers and copies thereof, certified by parties having charge of the same, to be good evidence of any marriage.

Clause XV.

Correct copies of all such Registers to be made within six months after this Act comes into operation, and being duly declared to by the respective Min-

isters of England and Ireland to solemnize Marriage in any other manner than is prescribed by the Rubric.

And it is hereby further enacted, That if any person shall unlawfully, wilfully and maliciously, erase, obliterate or destroy, or cause or procure to be erased, obliterated or destroyed, any such Original Register or Duplicate Original Register as aforesaid, such person shall be deemed guilty of a Misdemeanor, and on being duly convicted thereof, shall be liable to be imprisoned in the Common Gaol, for any term not less than three, nor exceeding twelve Calendar Months, and if any person shall unlawfully and wilfully forge or alter, or falsely make, or cause or procure, or permit to be forged or altered, or falsely made any such Original Register, or Duplicate Original Register, or any certified Copy thereof respectively, or shall knowingly and wilfully deliver, offer, utter, or put off, any such forged, false, or altered Copy, he shall be liable for such his Offence on conviction thereof, to be imprisoned in such Gaol as aforesaid, for any term not exceeding eighteen months, and not less than six months.

And whereas certain Marriages were contracted and solemnized previous to the abolition of slavery in this Colony, between slaves, and between parties, one of whom was a slave, and also in some cases between free persons, and since the Abolition of Slavery, between Apprentices and other persons of free condition, by or before Ministers of the Christian Religion other than Clergymen of the United Church of England and Ireland, and it is expedient that such Marriages or reputed Marriages, should be ascertained and confirmed, and that all persons who may have solemnized any such Marriages, or reputed Marriages, or who have in any manner assisted thereat, should be indemnified from and against all pains, penalties, forfeitures and proceedings, to which such persons or any of them may be liable therefore; It is therefore further enacted, That all Marriages which at any time before the taking effect of this Act, shall have been solemnized in this Colony by or before any such Minister of the Christian Religion as aforesaid, shall be, and the same are hereby declared to be and to have been from the time of the solemnization thereof respectively, good, valid, and effectual to all intents and purposes whatsoever, any law or usage to the contrary thereof, in any wise notwithstanding, and all pains, penalties, forfeitures, and proceedings of whatsoever kind or description, which any such Christian Minister may have incurred, or become liable to before the taking effect of this Act, by reason of his having solemnized or assisted at any Marriage whatsoever, or in any wise in relation thereto, is, and are hereby remitted, released, repealed, and made void. Provided always that nothing herein contained shall extend or be construed to extend to make good, valid or effectual, any such reputed Marriage as aforesaid, where either of the parties contracting the same shall have been subsequently legally Married.

And whereas, Registers of Marriages so celebrated as aforesaid, have been duly made and kept by such Ministers as aforesaid, who officiated thereat; It is therefore further enacted, That all such Registers and all copies thereof respectively, certified under the hand of the person for the time being, having the lawful care of the same, to be true copies, shall be, and are hereby declared to be, good evidence of such Marriages as aforesaid, respectively, as fully as if such Registers had been made and kept, and such certified copies had been made respectively, by persons appointed by Law to make and keep the same, and shall be received in evidence in all Courts, and before all Judges and Magistrates.

And it is hereby further enacted, That the better to preserve evidence of Marriages so registered, and to facilitate the proof thereof, every person in whose custody any Register lawfully is, or shall be at the time, shall, within six months after the commencement of this Act, to which the same extends respectively, make, or cause to be made, a fair and correct copy of every such Register, and of every entry therein contained. And it shall be

lawful for any such Christian Minister as aforesaid, to examine, verify, and correct, (if and where found incorrect) by the original, any such copy of a Register kept by the persuasion to which he belongs, and to take the same before any Magistrate, and make, and sign the following declaration, which any Magistrate to whom the same shall be tendered, is hereby authorized and required to receive, and to certify in manner following, that is to say :—

I, A. B. (describe the persuasion to which he belongs) do hereby solemnly, sincerely, and truly declare, that I have carefully examined this copy, beginning the day of (month and year) and ending on the day of (month and year) and containing pages, and entries of Marriage, with the original Register, and I believe the same to be, throughout, a true and faithful copy of the original Register, of which it purports to be a copy.

(Signed)

The said A. B., appeared this day of before me C. D., one of Her Majesty's Justices of the Peace, in, and for and made and signed the above declaration in my presence.

A. B.

before me C. D., and made Form of Magistrate's certificate.

(Signed)

C. D.

which declaration and Magistrate's certificate thereof, shall be entered, and signed at the end of the copy to which it relates, and the copy shall be then securely sealed up, and forthwith sent to the Colonial Secretary as aforesaid, to be by him kept with the Registers of Marriages in his Office, where the same may be searched, and every copy of any entry therein certified under his hand, to be a true copy, shall be of the same force and effect as any certified copy whatsoever made by him, is, or can be, and which certified copies he is hereby required to make, and may receive payment for as in other cases, and if any such Minister as aforesaid, shall wilfully make and sign any such declaration, knowing the same to be false, he shall be liable to the pains and penalties to which persons guilty of wilful and corrupt perjury are liable.

Minister making a false declaration liable to the penalties for perjury.

And whereas, in consequence of imperfect instruction in the Christian religion, and from other causes, many marriages, de facto, have taken place between persons, both, or one of whom were in the condition of slaves, but which marriages de facto, have never been sanctioned by any public ceremony, or formally registered, and in many such cases the parties have had offspring of such last mentioned marriages; and it is expedient that provision should be forthwith made for enabling such persons to confer upon their children the benefit of children born in lawful wedlock; It is therefore further enacted, that it shall be lawful for all persons having contracted marriage as last aforesaid, at any time within one year after the coming into operation of this Act, duly to solemnize the marriage ceremony, before any Clergyman of the Established Church, or in any other manner authorized by this Act, and every person so recognizing a previous marriage, de facto, shall at the same time make and sign the following declaration, which shall also be attested by the witnesses present, and signed by the Minister before whom the ceremony is performed.

Clause XVI. Provisions respecting parties who were married de facto when slaves, and of which no formal registry was made.

We, A. B. and C. D. do hereby severally, solemnly, sincerely and truly declare, that on the day of in the year or thereabout, at we, the said A. B. and C. D. intermarried with each other, and that we have had issue of the said marriage children, and no more, namely :—(here state the names and ages of the children, and if any be dead state the fact.)

Form of Declaration of such marriage.

(Signed)

A. B. C. D. X. Y.

and such marriage ceremony shall have relation back to the time of the marriage de facto, and all such children shall be deemed and taken to have been born in holy wedlock, and shall possess and enjoy all the rights, privileges, and advantages of persons born in lawful wedlock; and to preserve evidence thereof, a duplicate original declaration, shall then and there, before the parties depart, be made, signed and attested in the same manner, and the

original declaration shall be appended to, and kept with the original Register, and the duplicate original declaration shall be appended to, sent, and kept with the duplicate original Register, and shall for all purposes of evidence, be deemed part thereof respectively. Provided always, and it is hereby declared, that such last mentioned ceremony and declaration may be performed and made without the previous publication of banns or a license.

Proviso.

Clause XVII.
Meaning of the words "Governor," "Parish," and "Extra-parochial place" for the purposes of this Act.

Clause XVIII.
Act not to come into operation until Her Majesty's pleasure be made known.

And it is hereby further enacted, That the word "Governor" in this Act shall be taken to mean the Governor or other officer lawfully administering the Government of this Colony; and the word "Parish" shall be taken in its ordinary sense, and the term "Extra-parochial place" shall be taken to mean any place not included in any such parish.

And be it further enacted, That this Act shall not be in force until Her Majesty's pleasure shall be signified thereon in this Colony.

No. CI.

3 and 4 William IV. An Act for the amendment of the Law relating to Dower. [September 13, 1841.]—Left to its operation by Order in Council, dated 2nd February, 1842.

Preamble.

WHEREAS, an Act was passed in the session of Parliament, held in the third and fourth years of the reign of His late Majesty, King William the Fourth, intituled "An Act for the amendment of the Law relating to Dower," and it is expedient to enact in this Colony, such of the provisions of the said Act as are applicable thereto.

Clause I.
Meaning of the words in this Act, viz. :—

"Land,"

Number.

Clause II.
Certain clauses of Grenada Acts, passed in 1767, (No. 3.) and 1784, repealed.

Be it therefore enacted, By His Excellency the Lieutenant Governor, the Council and Assembly of the Island of Grenada and its Dependencies, and it is hereby enacted by the authority of the same, that the words and expressions hereinafter mentioned, which in their ordinary signification have a more confined or a different meaning, shall, in this Act, except where the nature of the provision, or the context of the Act shall exclude such construction, be interpreted as follows, that is to say, the word "land" shall extend to messuages, and all other hereditaments, whether corporeal or incorporeal (except such as are not liable to dower), and to any share thereof; and every word importing the singular number only, shall extend and be applied to several persons or things, as well as one person or thing.

And be it further enacted, That the second clause of an Act passed by the Legislature of Grenada, in the year One Thousand Seven Hundred and Sixty-seven, intituled "An Act to make Cattle, Horses, Mules, Asses, Coppers, Stills, and Plantation Utensils, real estate of inheritance, and declaring widows dowable of them as of lands and tenements," and so much of an Act passed by the Legislature of Grenada, in the year One Thousand Seven Hundred and Eighty-four, intituled "An Act for removing doubts with respect to the Laws which are to be deemed in force in these Islands upon their restitution to the crown of Great Britain" as relates to the said second clause of the said Act, passed in the year One Thousand Seven Hundred and Sixty-seven, shall be, and the same are hereby repealed.

Clause III.
Widows to be entitled to Dower out of equitable Estates.

And be it further enacted, That when a husband shall die, beneficially entitled to any land for an interest which shall not entitle his widow to dower out of the same at law, and such interest whether wholly equitable, or partly legal and partly equitable, shall be an estate of inheritance in possession, or equal to an estate of inheritance in possession (other than an estate in joint tenancy), then his widow shall be entitled in equity to dower, out of the same land.

Clause IV.
Seizin shall not be

And be it further enacted, That where a husband shall have been entitled to a right of entry or action in any land, and his widow would be

entitled to dower out of the same if he had recovered possession thereof, necessary to give she shall be entitled to dower out of the same although her husband shall title to Dower.
not have recovered possession thereof, provided that such dower be sued for, or obtained within the period during which such right of entry or action, might be enforced.

And be it further enacted, That no widow shall be entitled to dower Clause V.
out of any land which shall have been absolutely disposed of by her husband in his lifetime, or by his will. No Dower out of Estates disposed of.

And be it further enacted, That all partial estates and interests, and all Clause VI.
charges created by any disposition or will of a husband, and all debts, incumbrances, contracts, and engagements, to which his land shall be subject Priority to partial estates, charges, &c.
or liable, shall be valid and effectual as against the right of his widow to Dower.
dower.

And be it further enacted, That a widow shall not be entitled to dower, Clause VII.
out of any land of her husband, when in the deed by which such land was Dower may be barred by a declaration in a deed.
conveyed to him, or by any deed executed by him, it shall be declared that his widow shall not be entitled to dower, out of such land.

And be it further enacted, That a widow shall not be entitled to dower, Clause VIII.
out of any land of which her husband shall die wholly or partially intestate, Or by a declaration in the Husband's Will.
when by the will of her husband he shall not declare his intention that she shall be entitled to dower out of such land, or out of any of his land.

And be it further enacted, That the right of a widow to dower, shall be Clause IX.
subject to any conditions, restrictions, or directions, which shall be declared by the will of her husband. Dower shall be subject to restrictions.

And be it further enacted, That where a husband shall devise any land Clause X.
out of which his widow would be entitled to dower, if the same were not Devise of real estate to the widow shall bar her Dower.
so devised, or any estate or interest therein, to or for the benefit of his widow, such widow shall not be entitled to dower out of, or in any land of her said husband, unless a contrary intention shall be declared by his will.

And be it further enacted, That no gift or bequest, made by any husband to or for the benefit of his widow, of, or out of his personal estate, Clause XI.
or of, or out of any of his land, not liable to dower, shall defeat or prejudice her right to dower, unless a contrary intention shall be declared by his will. Bequest of personal estate shall not bar her Dower.

Provided always, and be it further enacted, That nothing in this Act Clause XII.
contained, shall prevent any Court of Equity from enforcing any covenant Agreement not to bar may be enforced.
or agreement entered into by or on the part of any husband not to bar the right of his widow to dower, out of his lands, or any of them.

And be it further enacted, That nothing in this Act contained, shall interfere with any rule of equity, or of any Ecclesiastical Court, by which Clause XIII.
legacies bequeathed to widows in satisfaction of dower are entitled to priority over other legacies. Legacies in bar of Dower.

And be it further enacted, That no widow shall hereafter be entitled to Clause XIV.
dower ad ostium ecclesiæ, or dower ex assensu patris. Certain Dowers abolished.

And be it further enacted, That this Act shall not extend to the dower Clause XV.
of any widow, who shall have been, or shall be married on or before the first day of January, one thousand eight hundred and forty-two, and shall Act not to take effect before the 1st January, 1842.
not give to any will, deed, contract, engagement or charge, executed, entered into, or created before the said first day of January, one thousand eight hundred and forty-two, the effect of defeating or prejudicing any right to dower.

No. CII.

3 and 4 William IV, c. 106. **An Act for the amendment of the Law of Inheritance.** [September 13, 1841.]—Left to its operation by Order in Council, dated 2nd February, 1842.

- Preamble.** WHEREAS an Act was passed in the Session of Parliament held in the third and fourth years of the Reign of His late Majesty King William the Fourth, intituled an Act for the Amendment of the Law of Inheritance, and it is expedient to enact in this Colony such of the Provisions of the said Act as are applicable thereto ;
- Clause I.** Be it therefore enacted by His Excellency the Lieutenant-Governor, the Council and Assembly of the Island of Grenada and its Dependencies, and it is hereby enacted by the authority of the same, that the words and expressions, hereinafter mentioned, which, in their ordinary signification, have a more confined, or a different meaning, shall, in this Act, except where the nature of the provision, or the context of the Act shall exclude such construction, be interpreted as follows, that is to say, the word "Land" shall extend to Messuages, and all other hereditaments, whether corporeal or incorporeal, and whether freehold or of any other tenure, and to money to be laid out in the purchase of land, and to chattels, and other personal property transmissible to heirs, and also to any share of the same hereditaments and properties, or any of them, and to any Estate of Inheritance, or estate for any life or lives, or other estate transmissible to heirs, and to any possibility, right, or title of entry, or action, and any other interest capable of being inherited, and whether the same estates, possibilities, rights, titles, and interests, or any of them, shall be in possession, reversion, remainder, or contingency, and the words "the purchaser," shall mean, the person who last acquired the land otherwise than by descent, or than by any Escheat, Partition, or enclosure, by the effects of which the land shall have become part of, or descendible in the same manner as other land acquired by descent, and the word "Descent," shall mean the title to inherit land by reason of consanguinity, as well where the heir shall be an ancestor, or collateral relation, as where he shall be a child or other issue, and the expression "Descendants of any Ancestor," shall extend to all persons who must trace their descent through such ancestor, and the expression "the person last entitled to land," shall extend to the last person who had a right thereto, whether he did, or did not, obtain the possession, or the receipts of the rents and profits thereof, and the word "assurance," shall mean any deed or instrument (other than a will), by which any land shall be conveyed or transferred at law, or in equity, and every word importing the singular number only, shall extend and be applied to several persons or things, as well as one person or thing, and every word importing the masculine gender only, shall extend and be applied to a female as well as a male.
- Clause II.** And be it further enacted, That in every case, descent shall be traced from the purchaser, and to the intent that the pedigree may never be carried further back than the circumstances of the case, and the nature of the title shall require, the person last entitled to the land, shall, for the purposes of this Act, be considered to have been the purchaser thereof, unless it shall be proved that he inherited the same, in which case the person from whom he inherited the same, shall be considered to have been the purchaser, unless it shall be proved that he inherited the same, and in like manner the last person from whom the land shall be proved to have been inherited, shall in every case be considered to have been the purchaser, unless it shall be proved that he inherited the same.
- Meaning of words in this Act, viz. :—**
- "Land."
- "The purchaser."
- "Descent."
- "Descendants."
- "Person last entitled."
- "Assurance."
- Number and Gender.**
- Descent shall always be traced from the Purchaser, but the last owner shall be considered to be the Purchaser, unless the contrary be proved.**

And be it further enacted, That when any land shall have been devised by any testator who shall die after the thirty-first day of December, one thousand eight hundred and forty-one, to the heir, or to the person who shall be the heir of such testator, such heir shall be considered to have acquired the land as a devisee, and not by descent, and when any land shall have been limited by any assurance executed after the said thirty-first day of December, one thousand eight hundred and forty-one, to the person, or to the heirs of the person who shall thereby have conveyed the same land, such person shall be considered to have acquired the same as a purchaser, by virtue of such assurance, and shall not be considered to be entitled thereto as his former estate or part thereof.

Clause III.
Heir entitled under a Will, shall take as a Devisee, and a limitation to the Grantor or his Heirs, shall create an Estate by purchase.

And be it further enacted, That when any person shall have acquired any land by purchase, under a limitation to the heirs, or to the heirs of the body of any of his ancestors, contained in an assurance executed after the said thirty-first day of December, one thousand eight hundred and forty-one, or under a limitation to the heirs, or to the heirs of the body of any of his ancestors, or under any limitation, having the same effect contained in a will of any testator who shall depart this life, after the said thirty-first day of December, one thousand eight hundred and forty-one, then, and in any of such cases, such land shall descend, and the descent thereof shall be traced, as if the ancestor named in such limitation had been the purchaser of such land.

Clause IV.
Where Heirs take by purchase under limitations to the Heirs of their Ancestors.

And be it further enacted, That no brother or sister shall be considered to inherit immediately from his or her brother or sister, but every descent from a brother or sister shall be traced through the parent.

Clause V.
Brothers &c., shall trace descent through their Parent.

And be it further enacted, That every lineal ancestor shall be capable of being heir to any of his issue, and in every case where there shall be no issue of the purchaser, his nearest lineal ancestor shall be his heir in preference to any person who would have been entitled to inherit either by tracing his descent through such lineal ancestor or in consequence of there being no descendant of such lineal ancestor so that the father shall be preferred to a brother or sister, and a more remote lineal ancestor to any of his issue other than a nearer lineal ancestor or his issue.

Clause VI.
Lineal Ancestor may be heir in preference to collateral persons claiming through him.

And be it further enacted and declared, That none of the maternal ancestors of the person from whom the descent is to be traced, nor any of their descendants, shall be capable of inheriting until all his paternal ancestors, and their descendants shall have failed, and also that no female paternal ancestor of such person, nor any of her descendants shall be capable of inheriting, until all his male paternal ancestors and their descendants shall have failed, and that no female maternal ancestor of such person, or any of her descendants shall be capable of inheriting, until all his male maternal ancestors and their descendants shall have failed.

Clause VII.
The Male line to be preferred.

And be it further enacted and declared, That where there shall be a failure of Male Paternal Ancestors of the person from whom the Descent is to be traced, and their Descendants, the Mother of his more remote Male Paternal Ancestor, or her Descendants, shall be the Heir or Heirs of such person in preference to the Mother of a less remote Male Paternal Ancestor or her Descendants; and where there shall be a failure of Male Maternal Ancestors of such person, and their Descendants, the Mother of his more remote Male Maternal Ancestor, and her Descendants shall be the Heir or Heirs of such person in preference to the Mother of a less remote Male Maternal Ancestor, and her Descendants.

Clause VIII.
The Mother of more remote male Ancestor to be preferred to the Mother of the less remote male Ancestor.

And be it further enacted, That any person related to the person from whom the Descent is to be traced by the Half-Blood, shall be capable of being his Heir, and the place in which any such relation by the Half-Blood shall stand in the order of Inheritance so as to be entitled to inherit, shall be next after any relation in the same degree of the Whole-Blood, and his issue where the common Ancestor shall be a Male, and next, after the common Ancestor where such common Ancestor shall be a Female, so that the

Clause IX.
Half-blood.

Brother of the Half-Blood on the part of the Father, shall inherit next after the Sisters of the Whole-Blood, on the part of the Father and their issue, and the Brother of the Half-Blood, on the part of the Mother shall inherit next after the Mother.

Clause X.
After the death of a person attainted his descendants may inherit.

And be it further enacted, That when the person from whom the Descent of any land is to be traced, shall have had any relation, who having been attainted shall have died before such Descent shall have taken place, then such attainer shall not prevent any person from Inheriting such land who would have been capable of inheriting the same by tracing his Descent through such Relation if he had not been attainted, unless such land shall have escheated in consequence of such attainer before the first day of January one thousand eight hundred and forty-two.

Clause XI.
Act not to extend to any Descent before January, 1842.

And be it further enacted, That this Act shall not extend to any Descent which shall take place on the death of any person who shall die before the said first day of January, one thousand eight hundred and forty-two.

Clause XII.
Limitations made before January 1842, to Heirs of a person then living shall take effect, as if the Act had not been made.

And be it further enacted, That where any assurance executed before the said first day of January, one thousand eight hundred and forty-two, or the Will of any person who shall die before the same first day of January one thousand eight hundred and forty-two, shall contain any limitation or gift to the Heir or Heirs of any person under which the person or persons answering the description of Heir, shall be entitled to an Estate by purchase, then the person or persons who would have answered such description of Heir if this Act had not been made, shall become entitled by virtue of such Limitation or Gift, whether the person named as Ancestor, shall, or shall not be living on or after the said first day of January one thousand eight hundred and forty-two.

No. CIII.

11, George IV, and 1 William IV, c. 40.

An Act for making better provision for the disposal of the undisposed of residues of the effects of Testators. [13th September, 1841.]—Left to its operation by Order in Council, dated 2nd February, 1842.

Preamble.

WHEREAS Testators, by their Wills frequently appoint Executors without making any express disposition of the residue of their personal estate: And Whereas Executors so appointed become by law entitled to the whole residue of such personal estate; and Courts of Equity have so far followed the law, as to hold such Executors to be entitled to retain such residue, for their own use, unless it appears to have been their Testators' intention to exclude them from the beneficial interest therein, in which case they are held to be trustees for the person or persons (if any), who would be entitled to such estate, under the statute of distributions if the Testator had died intestate; and Whereas it is desirable that the Law should be extended in that respect.

Clause I.
Executors to Wills of persons dying after 31st December 1841, to be Trustees of the undisposed Residue of Testators Estates, for the persons entitled to such Estates, under the statute of Distributions.

Be it therefore enacted by His Excellency the Lieutenant-Governor, the Council and Assembly of the Island of Grenada and its Dependencies, and it is hereby enacted by the authority of the same, that when any person shall die after the thirty-first day of December one thousand eight hundred and forty-one having by his or her Will, or any Codicil or Codicils thereto, appointed any person or persons to be his or her executor or executors, such executor or executors shall be deemed by Courts of Equity to be a trustee or trustees for the person or persons (if any), who would be entitled to the estate, under the statute of distributions in respect of any residue not expressly disposed of, unless it shall appear by the Will or any Codicil thereto, the person or persons so appointed executor or executors, was or were intended to take such residue beneficially.

Provided also and be it further enacted, That nothing herein contained shall affect or prejudice any right to which any Executor, if this Act had not been passed, would have been entitled in cases where there is not any person who would be entitled to the Testator's estate, under the statute of distributions in respect of any residue not expressly disposed of.

Clause II.
Right of Executor to undisposed residue not to be affected, where there is no person entitled to the Estate under the statute of Distributions.

No. CIV.

An Act for rendering a written Memorandum necessary to the validity of certain Promises and Engagements. [16th October, 1841.]—Left to its operation by Order in Council, dated 2nd February, 1842.

9 George IV., c. 14.

WHEREAS by an Act passed in England in the twenty-first year of the Reign of King James the First, it was amongst other things enacted, that all Actions of Account, and upon the case other than such accounts as concern the trade of Merchandize between Merchant and Merchant, their factors or servants, all Actions of debt granted upon any lending or contract without specialty, and all Actions of debt for arrearages of rent should be commenced within three years after the end of the then present session of Parliament, or within six years next after the cause of such Actions or Suit, and not after. And whereas various questions have arisen in Actions founded on simple contract as to the proof and effect of acknowledgments and promises offered in evidence for the purpose of taking cases out of the operation of the said enactment, and it is expedient to prevent such questions, and to make provision for giving effect to the said enactment, and to the intention thereof; Be it therefore enacted by His Excellency the Lieutenant-Governor, the Council and Assembly of the Island of Grenada and its Dependencies, And it is hereby enacted by the authority of the same, that in Actions of debt, or upon the case grounded upon any simple contract, no acknowledgment or promise by words only, shall be deemed sufficient evidence of a new or continuing contract, whereby to take any case out of the operation of the said enactment, or to deprive any party of the benefit thereof, unless such acknowledgment or promise shall be made or contained by or in some writing to be signed by the party chargeable thereby, and that where there shall be two or more joint contractors or executors or administrators of any contractor, no such joint contractor, executor, or administrator shall lose the benefit of the said enactment so as to be chargeable in respect, or by reason of any written acknowledgment or promise, made and signed by any other or others of them. Provided always, that nothing herein contained shall alter, or take away, or lessen the effect of any payment of any principal or interest, made by any person whatsoever, provided also that in Actions to be commenced against two or more such joint contractors, or executors, or administrators, if it shall appear at the trial or otherwise that the plaintiff though barred by the said recited Act, or this Act, as to one or more of such joint contractors, or executors, or administrators, shall nevertheless be entitled to recover against any other or others of the defendants, by virtue of a new acknowledgment or promise, or otherwise judgment may be given and costs allowed for the plaintiff as to such Defendant or Defendants against whom he shall recover, and for the other Defendant or Defendants against the plaintiff.

Preamble.
21 Jac. 1, C. 16.

Clause I.
In Actions of Debt, or upon the case, no acknowledgment shall be deemed sufficient unless it be in writing or by part payment.

Joint Contractors.

Proviso.
For the case of Joint Contractors.

And be it further enacted, That if any Defendant or Defendants, in any Action or in any simple Contract, shall plead any matter in abatement, to the effect that any other person or persons ought to be jointly sued, and issue to be joined on such plea, and it shall appear at the trial, that the Action could not by reason of the said recited Act, or this Act, be main-

Clause II.
Plea in abatement.

tained against the other person or persons named in such plea, or any of them, the issue joined on such plea shall be found against the party pleading the same.

Clause III.
Indorsements of
payment.

And be it further enacted, That no indorsement or memorandum of any payment written or made after the commencement of this Act, upon any promissory note, bill of Exchange or other writing, by, or on the behalf of the party to whom such payment shall be made, shall be deemed sufficient proof of such payment, so as to take the case out of the operation of the said statute.

Clause IV.
Simple contract
debts alleged by
way of set off.

And be it further enacted, That the said recited Act and this Act, shall be deemed and taken to apply to the case of any debt on simple contract alleged by way of set off on the part of any Defendant, either by plea, notice, or otherwise.

Clause V.
Confirmation of pro-
mises made by in-
fants.

And be it further enacted, That no Action shall be maintained, whereby to charge any person upon any promise made after full age, to pay any debt contracted during infancy, or upon any ratification after full age, of any promise or simple contract made during infancy, unless [such promise or ratification shall be made by some writing signed by the party to be charged therewith.

Clause VI.
Representations of
Character.

And be it further enacted, That no Action shall be brought whereby to charge any person upon or by reason of any representation or assurance made or given concerning or relating to the character, conduct, credit, ability, trade or dealings, of any other person to the intent or purpose that such other person may obtain credit, money, or goods, unless such representation or assurance be made in writing, signed by the party to be charged therewith.

Clause VII.
29 Car. 2.
Powers of recited
Act, extended to
contracts for Goods
of £10, or upwards
although the deli-
very be not made.

And whereas by an Act passed in England in the twenty-ninth of the reign of King Charles the Second, intituled, "An Act for the prevention of frauds and perjuries," it is amongst other things enacted, That from and after the twenty-fourth day of June one thousand six hundred and seventy-seven, no contract for the sale of any Goods, Wares, and Merchandizes, for the price of Ten Pounds Sterling, or upwards, shall be allowed to be good, except the buyer shall accept part of the Goods so sold, and actually receive the same, or give something in earnest to bind the bargain, or in part of payment, or that some note or memorandum in writing of the said bargain be made and signed by the parties to be charged by such contract or their agents thereunto lawfully authorized; and whereas it has been held that the said recited enactment does not extend to certain executory contracts for the sale of Goods, which nevertheless are within the mischief thereby intended to be remedied, and it is expedient to extend the said enactment to such executory contracts; Be it enacted, That the said enactment shall extend to all contracts for the Sale of Goods of the value of Ten Pounds Sterling and upwards, notwithstanding the Goods may be intended to be delivered at some future time, or may not at the time of such contract be actually made, procured, or provided, or fit, or ready for delivery, or some act may be requisite for the making or completing thereof on rendering the same fit for delivery.

No. CV.

3 and 4 Victoria, c. 24. An Act to prevent Frivolous Suits in the Supreme Court of Judicature. [1st February, 1842.]—Left to its operation by Order in Council, dated 3rd June, 1842.

Preamble.

WHEREAS, it is expedient to make provision for the prevention of trifling and frivolous Suits in the Supreme Court of Judicature; Be it therefore enacted by His Excellency the Lieutenant-Governor, the Council and As-

sembly of the Island of Grenada and its Dependencies, and it is hereby enacted by the authority of the same, That if the Plaintiff in any action of trespass, or of trespass on the case brought or to be brought in the Supreme Court of Judicature, shall recover by the verdict of a Jury less damages than forty shillings, such Plaintiff shall not be entitled to recover or obtain from the Defendant, in respect of such verdict, any costs whatever, whether it shall be given upon any issue or issues tried, or judgment shall have passed by default, unless the Judge, or Judges, or a majority of them, if more than one, before whom such verdict shall be obtained, shall immediately afterwards certify on the back of the declaration, or record, or writ of inquiry, that the action was really brought to try a right besides the mere right to recover damages for the trespass or grievance for which the action shall have been brought, or that the trespass or grievance in respect of which the action was brought, was wilful and malicious.

Clause I.
Plaintiff in any Action of Trespass recovering less damages than 40s., not entitled to costs; with certain exceptions.
Vide Act, No. 156.

Provided always, and be it enacted, That nothing herein contained shall extend to, or be construed to extend, to deprive any Plaintiffs of costs in any action or actions brought for a trespass or trespasses over any lands, wastes, closes, woods, plantations or enclosures, or for entering any dwellings, outbuildings or premises in respect of which any notice not to trespass thereon or therein shall have been previously served, by or on behalf of the owner or occupier of the land trespassed over, upon or left at the last reputed or known place of abode of the Defendant or Defendants in such action or actions.

Clause II.
Plaintiff may recover costs where notice not to trespass has been previously duly served.

No. CVI.

An Act to authorize the enrolment in the Register's Office of this Island, of Copies of the Charter and Supplemental Charter of the Colonial Bank, and to render the same, or certified Copies thereof, legal evidence. [27th August, 1842.]—Left to its operation by Order in Council, dated 1st February, 1843.

WHEREAS, His late Most Gracious Majesty, King William the Fourth, by his Letters Patent, bearing date at Westminster, the first day of June, in the sixth year of his reign, did give, grant, make, ordain, constitute, declare and appoint John Irving, Andrew Colville, Aeneas Barkly, David Barclay, James Cavan, John Alexander Hankey, William Petlow Hibbert, John Gurney Hoare, John Irving (the younger), Charles McGarrel, William Miller, Thomas Masterman, Abraham George Robarts, Patrick Maxwell Stewart, Alexander Stewart, Samuel Gurney, Charles Marryat, and Thomas Moody, Esquires, or such of them as should become subscribers of not less than £2000 each, towards the capital or joint Stock thereafter mentioned, in the manner thereafter provided, together with such and so many other person or persons, bodies politic or corporate, as should become subscribers of or towards the Capital or Joint Stock thereafter mentioned, in the manner thereafter provided, and such other person or persons, bodies politic or corporate, as should, from time to time, in manner thereafter provided, become a Proprietor or Proprietors of any part of such Capital or Joint Stock (not being a fractional part of One Hundred Pounds of such Stock), should be one body politic and corporate in deed and in name, by the name of "The Colonial Bank," and by that name should and might sue and be sued, implead and be impleaded in all Courts, whether of Law or Equity, and should have perpetual succession with a Common Seal, which might be by them changed or varied at their pleasure; and His late Majesty did thereby further declare, that the said Corporation should be established for the purpose of carrying on the business of a Banker in Jamaica, and the other West India Islands, and British Guiana, and not

Preamble.

elsewhere, subject, nevertheless, to such restrictions and provisions as were thereafter contained ; And his said late Majesty did thereby for himself, his heirs and successors, grant unto the said Colonial Bank, and their successors, and did thereby will, direct and appoint that it should and might be lawful for the said Corporation for the period of twenty years, commencing from the first day of May, one thousand eight hundred and thirty-six, to carry on the business of Bankers, by dealing, generally, in Bullion, Money, Bills of Exchange, and lending Money on Commercial Paper and Government Securities, and in such lawful ways and means as are usually practised among Bankers, subject to the restrictions therein mentioned ; and did thereby further will and ordain, that it should and might be lawful to and for the Corporation, during the same period, to establish one or more principal Bank or Banks in Barbados, and the Island of Jamaica, and in such other Islands or places in the West Indies and British Guiana as by them should be considered expedient, with such branches or agencies as, from time to time, might be found convenient, and at and from such principal Bank or Banks, branches or agencies, or any of them, to make, issue, and circulate Notes, payable in Dollars, to Bearer, on Demand, or otherwise subject to the provisions, regulations and restrictions therein contained, as by the said Letters Patent will more fully appear : And whereas, her present Most Gracious Majesty has been pleased to grant a Supplemental Charter to the said Colonial Bank, by her Letters Patent, bearing date at Westminster, the Thirtieth day of October, in the second year of her Reign : And whereas, the said first mentioned Letters Patent, so granted as aforesaid, by his late Most Gracious Majesty, King William the Fourth, and the said second mentioned Letters Patent, so granted as aforesaid, by her present Most Gracious Majesty, remain of record at Westminster, but copies of the same, duly examined and compared with the said original Letters Patent, so granted, as aforesaid, by his said late Majesty King William the Fourth, and by her present Majesty, have been transmitted to this Island, together with the declaration of John James Aubertin, and Thomas Constable, of Mansion-House Place, in the City of London, Gentlemen, by whom the same were examined and compared, and the said Copies of the said Letters Patent, and the said declaration, under the Seal of the Lord Mayor of the City of London, have been duly recorded in the Register's Office of this Island : And whereas, to obviate any doubts which may arise as to the said copies of the said Letters Patent so transmitted to this Island, and recorded as aforesaid, and also as to certified copies thereof from the Register's Office of this Island being admissible as evidence of the said Original Letters Patent, May it please your Majesty, upon the humble petition of the said Colonial Bank, that it may be enacted, and be it therefore enacted, by His Excellency Colonel Charles Joseph Doyle, Lieutenant-Governor and Commander-in Chief in and over the said Island of Grenada and its Dependencies, the Members of your Majesty's Council, and the Representatives of the People in General Assembly convened,

Clause I.

The copies of the Original Letters Patent of the Colonial Bank, and the declaration thereof, as recorded in the Register's Office, declared to be legally recorded, and the same and certified copies thereof to be admitted as legal evidence in all Courts.

And it is hereby enacted, by authority of the same, That the said copies of the said Letters Patent, so recorded in the Register's Office of this Island, and the said Declaration, shall be, and the same are hereby deemed and taken to be duly and legally recorded, and that the same, and the record thereof, in the said Register's Office, or any copy or copies thereof, at any time or times made and certified by the Register of this Island, in the same manner and form as Deeds or other records are certified by him, according to the Laws of this Island, shall be admitted in all Courts and places in this Island, as legal evidence, to the extent and for the purposes to which the Original Letters Patent themselves would be admitted ; any Law, Custom or Usage to the contrary thereof, in any wise notwithstanding.

Clause II.
This Act to be notified as a Public Act.

And be it further enacted, That this Act shall be deemed and taken to be a Public Act, and shall be judicially taken notice of as such, by all Judges, Justices and others, without being specially pleaded.

No. CVII.

An Act to declare examined copies, certified by the Register of Grenada, of a certain Charter, or Letters Patent, granted to the "West India Bank," legal evidence. [*Dated 27th August, 1842.*]
—Left to its operation by Order in Council, dated 1st February, 1843.

WHEREAS, Her Most Gracious Majesty, Queen Victoria, did, by Letters Patent, bearing date at Westminster, on the twenty-seventh day of November, in the Fourth year of Her reign, give, grant, constitute and appoint, that certain persons therein named, together with such other person or persons, or bodies politic and corporate as therein mentioned, should be one body politic and corporate, in deed and in name, by the name of "The West India Bank;" and whereas, the said Letters Patent have been duly recorded in the Register's Office of Grenada, and it is expedient that copies from the Record thereof, remaining in such Office, should be deemed good evidence of such Letters Patent, in all Courts of Justice in Grenada; Be it, therefore, enacted by His Excellency the Lieutenant-Governor, the Council and Assembly of the said Island of Grenada and its Dependencies, and it is hereby enacted by the authority of the same, That copies of the said Letters Patent, examined with the Record thereof, remaining in the Register's Office of Grenada, aforesaid, and duly certified by the Register, for the time being, shall be allowed, and permitted to be pleaded, and be as good evidence, in all Courts of Justice of Grenada, as if the original of such Letters Patent was then and there exhibited.

Clause I.
Copies of the Letters Patent of the West India Bank, from the record in the Register's Office, (duly examined and certified) declared good evidence in all Courts of Justice.

And be it enacted, that this Act shall be deemed and taken to be a Public Act, and shall be judicially taken notice of as such, by all Judges, Justices and others.

Clause II.
Act declared a Public Act.

No. CVIII.

An Act to establish a Company of Firemen, and to regulate the same. (*18th January, 1843.*)—Left to its operation by Order in Council, dated 3rd April, 1843.

WHEREAS a Fire Engine has been imported from England at the Public expense, and is now lodged in a convenient place in the Town of Saint George, to be made use of in case of Fire breaking out in the said Town or neighbourhood. And whereas it is expedient, that a Company of Firemen should be appointed to work the said Engine, Be it therefore enacted by the Governor, the Council, and Assembly of the Island of Grenada and its Dependencies, and it is hereby enacted by the authority of the same, that a sufficient number of fit and able men, not exceeding twenty-five, including one Superintendent and two Assistants, shall from time to time by the directions of the Governor, be appointed to act as Firemen to work the said Engine, and it shall be lawful for the Justices of the Peace, or the majority of them in petty Sessions assembled, from time to time, subject to the approbation of the Governor, to frame such orders and regulations as they may deem expedient, relative to the general government of the said Firemen, and for rendering them efficient in the discharge of their duties, and the said Justices in Session, may, at any time, suspend or dismiss from his employment, any Fireman whom they shall find remiss or negligent in the discharge of his duty, or otherwise unfit for the same.

Preamble.

Clause I.
Twenty-five able bodied men to be appointed to work the Fire Engine.

Justices of the Peace in Petty Session, to frame orders and regulations relative to government of said Firemen, and may dismiss any such, who they shall find remiss.

And be it enacted, that the said Firemen on account of the services

Clause II.

Firemen exempt from Militia service. they may be liable to be called upon to perform, shall be exempted from all Militia service, and shall be entitled to receive for each day on which they shall be on duty, pay as follows, that is to say:—the Superintendent, the sum of ten shillings, each of the Assistants the sum of seven shillings and six pence, and each of the other Firemen, the sum of five shillings, and one

Mode of payment. half of the above sums, when called out to exercise: the said several sums to be paid them by the Public Treasurer, on the Certificate and order of the said Justices, or a majority of them.

Clause III. And be it enacted, that on the first alarm of any fire, the Superintendent, Firemen how to act in case of alarm of Fire. Assistants, and Firemen, shall promptly repair to the place where the Fire-Engine is kept, in order that with the utmost despatch, they may conduct the Engine to the place where the Fire shall have broken out, and shall use their utmost exertions, in working the Engine, to extinguish the same.

Clause IV. And be it enacted, that if the Superintendent, Assistants and Firemen, shall, on any alarm of fire, neglect to repair to the Engine Station, without giving a proper excuse for such absence, or having repaired to the said Station, shall, before being discharged from duty by one or more Justices, neglect or refuse to perform their duty as Firemen, or shall leave their post, or otherwise behave in an improper manner as Firemen, each of them so neglecting to repair to his post, or leaving the same without leave, or conducting himself in an improper manner while on duty, shall, on conviction for every such offence, before two or more Justices of the Peace, be liable to be fined in a sum not exceeding forty shillings at the discretion of such Justices, and in case of such fine not being paid forthwith, or within such time as the Justices shall direct, shall be imprisoned for a period not exceeding ten days, or until such fine shall have been paid.

Clause V. And be it enacted, that the said Superintendent, Assistants, and Firemen, shall meet for the purpose of being exercised in working the said Engine, at such times as may be required of them by two or more Justices, and the said Superintendent, Assistants, and Firemen, or any or either of them refusing or neglecting to appear at any of the said meetings, after having had due notice thereof, shall, unless a satisfactory excuse be given for such absence, on conviction before two or more Justices of the Peace, be made to pay a fine not exceeding two pounds ten shillings, and in default of payment of the same, shall be imprisoned for a period not exceeding ten days.

Amount of fine and period of imprisonment on non-payment thereof. And be it enacted, that the Superintendent, Assistants, and Firemen shall, when proceeding on duty, put on and wear such distinguishing dress or badge as the said Justices shall direct.

Clause VI. And be it enacted, That any person wilfully obstructing the Superintendent, Assistants, or other Firemen, when in execution of their duty, shall, on conviction before two or more Justices of the Peace, be liable to and made to pay a fine in a sum not exceeding forty shillings, and in default of payment thereof, shall be imprisoned for a period not exceeding ten days, or until such fine be paid.

Clause VII. And be it enacted, That this Act shall be deemed and taken to be a public Act, and all persons are to notice it as such and govern themselves accordingly.

Clause VIII. Declared to be a Public Act.

No. CIX.

9 George IV, c. 15. An Act to prevent a failure of Justice by reason of Variances between Records and Writings, produced in evidence in support thereof. (2nd February, 1843.)—Left to its operation by Order in Council, dated 10th June, 1843.

Preamble. WHEREAS great expence is often incurred, and delay or failure of Justice takes place at trials, by reason of Variances between Writings produced in

evidence, and the recital or setting forth thereof upon the record on which the trial is had, in matters not material to the merits of the case, and such record cannot now in any case be amended at any time : for remedy thereof, Be it enacted by the Governor, the Council, and Assembly of the Island of Grenada and its Dependencies, and it is hereby enacted by the authority of the same, that it shall and may be lawful for every Court of Record, holding plea in Civil Actions, and any Court of Oyer and Terminer and General Gaol Delivery in this Colony, if such Court shall see fit so to do, to cause the Record on which any trial may be pending before any such Court in any Civil Actions, or in any Indictment or Information for any Misdemeanor, when any Variance shall appear between any matter in Writing or in Print, produced in evidence, and the Recital or Setting-forth thereof upon the Record whereon the Trial is pending, to be forthwith amended in such particular, by some Officer of the Court, on payment of the Costs, if any, to the other party as such Court shall think reasonable, and thereupon the Trial shall proceed as if no such Variance had appeared.

Variances between records and writings produced in evidence on any trial, may be amended by order of the Court, on payment of such costs to the other party as the said Court may think reasonable.

No. CX.

An Act for the more effectual prevention of Vexatious Arrests, and Suits, and to regulate the practice of Arrests in certain cases. (*2nd February, 1843.*)—Left to its operation by Order in Council, dated 10th June, 1843.

WHEREAS AN Act was passed in the Forty-third year of the Reign of His late Majesty King George the Third, enabling persons arrested upon mesne process in England, instead of giving Bail, to make deposit of the Money for which the arrest was made, together with a competent sum for Costs. And whereas AN Act was passed in the Session of Parliament, held in the Seventh and Eighth years of the Reign of His late Majesty, King George the Fourth, extending the provisions of the former Act, and it is expedient specially to enact in this Colony, such of the provisions of the said Statutes as are applicable thereto; Be it therefore enacted by the Governor, the Council, and Assembly of the Island of Grenada and its Dependencies, and it is hereby enacted by the authority of the same, that all persons who shall, from and after the passing of this Act, be arrested upon mesne process in this Colony, shall be allowed in lieu of giving Bail to the Provost Marshal, to deposit in his hands, the sum endorsed upon the Writ, by virtue of the Affidavit for holding to Bail in that Action, together with ten pounds in addition to such sum, to answer the Costs which may accrue, or be incurred in such Action, up to and at the time of the return of the Writ, and shall thereupon, be discharged from such Arrest, as to the Action in which he, she or they shall so deposit the sum endorsed on the Writ, and that the Provost Marshal shall, in every such case, at or before the return of the said Writ, pay into the Supreme Court of Judicature, the sum of Money so deposited with him as aforesaid, and thereupon in case the Defendant or Defendants, shall afterwards duly put in, and perfect Bail in such Action, according to the Course and Practice of such Court, the sum of Money so deposited and paid into Court as aforesaid, shall, by order of the Court, upon motion to be made for that purpose, be repaid to such Defendant or Defendants; but in case the Defendant or Defendants shall not duly put in and perfect Bail in such Action, then and in such case, the said sum of money so deposited and paid into Court as aforesaid, shall, by order of the Court, upon a like motion to be made for that purpose, be paid over to the Plaintiff or Plaintiffs in such Action, such payment to the Plaintiff or Plaintiffs, to be made subject to such deductions, if any, from the sum

Preamble.

7 and 8 George IV, c. 71.

Clause I.

Persons arrested on mesne process instead of giving bail may deposit with the Provost Marshal the sum endorsed on writ, and £10 to answer costs.

Provost Marshal to pay such deposit into Court.

Defendant to receive such deposit out of Court upon perfecting Special bail, failing which, such deposit to be paid to Plaintiff, subject to deduction of taxed costs, &c.

of ten pounds, deposited and paid to answer the Costs as aforesaid, as upon the Taxation of the Plaintiff's Costs, as well of the Suit, as of his application to the Court in that behalf, may be found reasonable.

Clause II.
Defendant discharged from arrest upon making deposit as aforesaid, may, instead of perfecting special Bail, allow deposit to be paid into Court, or if he remains in custody, or gives Bail to the Marshal, he may pay the debt into Court, with £20 to answer Costs.

And be it enacted, That in all cases in which any Defendant shall have been discharged from Arrest, upon making such deposit as is hereinbefore required, and the sum so deposited shall have been paid into Court, it shall be lawful for such Defendant, instead of putting in and perfecting Bail in the Action, according to the Course and Practice of the Court, to allow the Sum so deposited with the Marshal and by him paid into Court as aforesaid, together with the additional sum of ten pounds to be paid into Court by such Defendant, as a further Security for the Costs of the Action, to remain in the Court, to abide the event of the Suit, and in all cases where any Defendant shall have been arrested, and shall have given Bail to the Marshal, or shall have been arrested, and remain in custody, it shall be lawful for such last mentioned Defendant, instead of putting in, and perfecting Special Bail, to deposit and pay into the said Court, the sum endorsed upon the Writ, and the further sum of twenty pounds as a security for the Costs of the Action, there to remain, to abide the event of the Suit, and the cause may proceed as if the Defendant had put in and perfected special bail, and in case Judgment in the said Action shall be given for the Plaintiff, he shall be entitled, by order of the Court upon motion made for that purpose, to receive the said Money so remaining in, or so deposited, or paid into the Court as aforesaid, or so much thereof, as will be sufficient to satisfy the sum recovered by the Judgment, and the Costs of the Application, and if Judgment be given in the said Action, for the Defendant, or the Plaintiff discontinue his Suit, or be otherwise barred, or in case the sum deposited and paid into Court, be more than sufficient to satisfy the Plaintiff, the said Money so deposited, or paid into Court, or so much thereof as shall remain, shall, by order of the Court, upon motion to be made for that purpose, be repaid to such Defendant.

Clause III.
Defendant may receive such deposit and payment out of Court, upon perfecting special Bail.

Provided always and be it enacted, that it shall and may be lawful for the said Defendant who hath made his election, to make such deposit and payment as aforesaid at any time in the progress of the cause before issue joined in law or fact, or final, or interlocutory judgment signed, to receive the same out of Court, by order of the said Court upon putting in and perfecting special Bail, in the cause and payment of such Costs to the Plaintiff as the said Court shall direct.

Clause IV.
Defendant after perfecting Bail may make deposit and payment, and thereupon Court shall direct an Exoneretur to be entered upon the Bail piece.

Provided also and be it enacted, That it shall and may be lawful for any Defendant who shall have put in and perfected Special Bail in any cause, upon motion to the Court, if the Court shall so think fit; to deposit and pay into Court, the sum which would have been deposited and paid, in case the Defendant had originally elected so to do, together with such further sums, to answer the costs as the Court may direct, to abide the event of the said Suit, and to be disposed of in manner aforesaid, and thereupon it shall be lawful for the said Court to direct a common appearance to be entered and an Exoneretur to be entered upon the bail piece in the said cause.

Clause V.
Act of Grenada, passed 1790. No. 24.

And whereas, By an Act passed by the Legislature of Grenada, in the year One Thousand Seven Hundred and Ninety, commonly called the Court Act, it is enacted, that the Bail Bond to the Provost Marshal, shall be conditioned for the appearance of the Defendant at the next Court to answer the Action, at which Court the Writ of Capias now in use is returnable; Be it enacted, that in every Writ of Capias to be issued after the passing of this Act, the day of the return of such Writ shall be specified in the body of such Writ, and that no such Bail Bond shall be put in Suit, till after eight days, exclusive of the day on which such Writ shall be returnable.

Day of return of Capias to be specified in body of writ, and Bail bond not to be put in suit till after eight days, exclusive of such day.

Clause VI.
Marshal not to execute writ of Capias, unless endorsed

And be it enacted, That from and after the passing of this Act, it shall not be lawful for the Provost Marshal to execute any Writ of Capias, to be issued from the Supreme Court of Judicature, unless the same shall be

endorsed by, and in the name of a Practitioner, duly admitted to practice and practising in the said Court. ed by Practitioner of the Court.

And be it enacted, That in all Actions to be brought in this Colony from and after the passing of this Act, wherein the Defendant or Defendants shall be arrested and held to special Bail, and wherein the Plaintiff or Plaintiffs shall not recover the amount of the sum for which the Defendant or Defendants in such Action, shall have been so arrested and held to special Bail, such Defendant or Defendants, shall be entitled to Costs of Suit to be taxed by the Secretary of the Court, provided that it shall be made appear to the satisfaction of the Court, in which such Action is brought, upon motion to be made in Court for that purpose, and upon hearing the parties by affidavit, that the Plaintiff or Plaintiffs in such Action had not any reasonable or probable cause for causing the Defendant or Defendants to be arrested and held to special Bail in such amount as aforesaid, and provided such Court shall thereupon by a Rule or Order, direct that such Costs shall be allowed to the Defendant or Defendants, and the Plaintiff or Plaintiffs shall, upon such Rule or Order being made as aforesaid, be disabled from taking out any execution for the sum recovered in any such Action, unless the same shall exceed, and then in such sum only, as the same shall exceed the amount of the taxed Costs of the Defendant or Defendants in such Action, and in case the sum recovered in any such Action shall be less than the amount of the Costs of the Defendant or Defendants, to be taxed as aforesaid, that then the Defendant or Defendants shall be entitled, after deducting the sum of Money recovered by the Plaintiff or Plaintiffs in such Action, from the amount of his or their Costs so to be taxed as aforesaid, to take out execution for such Costs in like manner as Defendant or Defendants may now by Law have execution for Costs in other cases.

Clause VII.

Whenever Plaintiff shall not recover the amount of the sum for which Defendant was held to Bail (without probable cause,) Defendant shall be entitled to Costs under a Rule of Court.

And be it enacted, That in all Actions which shall be brought in this Colony from and after the passing of this Act upon any Judgment recovered, or which shall be recovered in any Court in this Colony, the Plaintiff or Plaintiffs in such Action on the Judgment shall not recover or be entitled to any Costs of Suit, unless the Court in which such Action on the Judgment shall be brought, or some Judge of the same Court, shall otherwise order.

Clause VIII.

In Actions on Judgments, Plaintiff not entitled to Costs, unless by Rule of Court.

No. CXI.

An Act for taking away the punishment of Death in certain cases, and substituting other Punishment in lieu thereof. (*Dated 21st February, 1843.*)—Left to its operation by Order in Council, dated 23rd August, 1843.

WHEREAS by An Act of these Islands, passed on the sixteenth day of December, One Thousand Eight Hundred and Thirty-one, intituled, "An Act to repeal An Act intituled, An Act to assimilate the Criminal Code of the Island of Grenada and its Dependencies, as near as may be to the Criminal Code of England, relative to offences against the person, and to substitute this Act in lieu thereof," it was amongst other things enacted, that every person convicted of the crime of Rape, should suffer death as a felon, and that if any person should unlawfully and carnally know and abuse any girl under the age of ten years, every such offender should be guilty of felony, and being convicted thereof, should suffer death as a felon. And whereas it is expedient, that the said offences hereinbefore specified, should no longer be punishable with death; Be it therefore enacted by the Governor, Council, and Assembly, of the said Island of Grenada and its Dependencies, and it is hereby enacted by the authority of the same, that if

Preamble.

Recites Act, No. 72.

Clause I.

Punishment of death for rape, &c., committed to trans-

portation for life, or for any period not less than seven years, or to imprisonment not exceeding seven, and not less than two years.

any person shall be convicted of either of the said offences hereinbefore specified, such person shall not be subject to any Sentence, Judgment, or Punishment of Death, but shall, instead of the Sentence, or Judgment, in and by the said Act hereinbefore recited, ordered to be given or awarded against persons convicted of the said offences, or any of them respectively, be liable, at the discretion of the Court, to be transported beyond the Seas, for the period of the natural life of such person, or for any term not less than seven years or to be imprisoned for any time not exceeding seven years, nor less than two years.

Clause II.
Imprisonment to be with or without hard labor, or solitary confinement at the discretion of the Court.

Period of solitary confinement.

Clause III.
Nothing in this Act to affect Act of Imperial Parliament for the better government of Prisons in the West Indies.

And be it enacted, That in awarding the Punishment of Imprisonment for any offence punishable under this Act, it shall be lawful for the Court to direct such punishment to be with, or without hard labor in the Common Gaol, and also to direct that the offender shall be kept in solitary Confinement, for any portion or portions of such Imprisonment, whether the same be with or without hard labor, not exceeding one month, at any one time, and not exceeding three months in any one year as to the Court in its discretion shall seem meet.

And be it enacted, That nothing in this Act contained shall be construed to extend to affect any of the powers, provisions, or regulations, contained in an Act passed in the Session of Parliament, holden in the first and second years of the Reign of Her Majesty Queen Victoria, intituled, "An Act for the better government of Prisons in the West Indies."

No. CXII.

An Act to repeal the several Acts at present in force in this Colony, for the regulation of Markets and to substitute this Act in lieu thereof. (*Dated 16th May, 1843.*)—Left to its operation by Order in Council, dated 23rd August, 1843.

Preamble.

Clause I.

Acts repealed.

WHEREAS, it is expedient that the several Acts now in force relating to the Markets, and to the disposal of provisions in these Islands, should be repealed, and a new Act substituted in lieu thereof: Be it, therefore, enacted, by the Governor, the Council and Assembly of the Island of Grenada and its Dependencies, and it is hereby enacted by the authority of the same, that from and after the publication of this Act, the Acts severally entitled, "An Act to establish regular Markets in the different Towns of this Island, to fix the prices of fresh provisions and other commodities brought to such Markets for sale; empowering the Captain General, or Commander-in-Chief to appoint Clerks of such Markets, who are at the same time to be Keepers and Inspectors of the Public Cages, empowering them to receive and confine therein for a limited time disorderly persons committed by Justices of the Peace: also to apprehend and confine negroes or other slaves coming from the country without tickets; appointing the mode of stamping and regulating all weights and measures in the said Towns and Parishes, and appointing the mode of altering the prices of provisions as occasion may require," and "An Act to prevent the holding of Markets on the Sabbath Day, and appointing Thursdays and Saturdays to be Public Market days," shall be, and the same are hereby repealed; except so far as the said Acts or either of them may repeal any other Acts or Act, or parts or part of any other Act or Acts.

Clause II.
Markets to be held in the several towns of this Island and Hillsbro' in the Island of Carriacou, subject to the regulations, &c., contained in this Act.

And be it enacted, That there shall be kept and held at each of the Towns of Saint George, Saint David, Saint Andrew, Saint Patrick, Saint Mark and Saint John, in this Island, and Hillsborough, in the Island of Carriacou, Markets for selling all manner of meats, fish, provisions, vegetables, grass, wares and merchandize under the several regulations, penalties and forfeitures in this Act contained; and that the said Markets shall

be opened at six o'clock in the morning, and be closed at sunset on each and every day except as hereinafter excepted.

And that it may be understood what shall be considered within this Act as public and open Markets, Be it enacted, That the Public Parade Ground in the Town of Saint George, within the four streets that surround it, shall be deemed the Public Market place, for the said Town, and that the place or places hereafter to be appointed by the Justices in their Sessions, shall be deemed the Public Market place or places in all the other aforesaid Towns in this Island, and of the Town of Hillsborough, in the Island of Carriacou.

And be it enacted, That every day in the week, Sunday excepted, shall be deemed Market days throughout these Islands, when it shall be lawful for all and every person and persons whomsoever, to sell, barter or purchase any meats, fish, provisions, goods, wares and merchandize whatsoever.

And be it enacted, That there shall be no Markets on Sunday, and the same is hereby prohibited, save as hereinafter is excepted, and every person who shall publicly expose for sale any provisions, goods, wares and merchandize, or other articles whatsoever, in any of the said Markets on Sunday, or shall expose for barter or sale, or buy from any person in any house, shop, stall or place whatsoever, any provisions, goods, wares or merchandize or other articles on Sunday, shall, on conviction thereof, before two or more Justices of the Peace, forfeit and pay for each and every such offence a sum not exceeding two pounds, and in default of payment, shall be imprisoned for any time not exceeding ten days: Provided always, that in all cases where the fine is paid, one half thereof shall be given to the informer; Provided also, that nothing in this Act shall extend to prevent the buying and selling of bread, *meat*, *fish* and milk, at any time before the hour of nine o'clock in the morning; or the dressing and selling of victuals, in houses and cookshops, or the selling of Medicines, at any time during the day.

And be it enacted, That the Governor for the time being, shall and may, from time to time, nominate and appoint Clerks of the said several Markets, each of whom shall also be the Keeper of the Public Cage or place of confinement of the Town to which he shall be appointed, with power to carry the duties of this or any other Act imposed upon them, into effect, and shall have authority to decide upon all differences, which may arise in buying and selling in the said Markets, and to call to his assistance if necessary, any Constable or Constables, to keep order and regularity in the said Markets.

And be it enacted, That there shall be paid to the said Clerks of the Markets, and Cage Keepers, a salary at and after the following rates, that is to say, to the Clerk of the Market and Cage Keeper for the Town of Saint George, the sum of eighty pounds per annum, and to each of the Clerks of the Markets and Cage Keepers for the other Towns respectively, twenty pounds per annum; which salaries shall be in lieu of all fees hitherto received by them; and each of the said Clerks of the Markets and Cage Keepers shall previously to entering upon the duties of his office, appear before the Governor or Commander-in-Chief for the time being, and be sworn before him faithfully to discharge the several duties thereof, pursuant to the provisions of this Act, or any other Act which shall afterwards be made concerning the same.

And be it enacted, That each Clerk of the Market shall attend the Market to which he is appointed in person, or by his Deputy, in case of sickness or other good cause of absence, to be allowed by the Governor for the time being, and shall remove, or cause to be removed, all filth, rubbish, and stagnant waters, from the said markets, and shall keep the same properly swept and clean, at all times, and each Clerk of the Markets shall also take charge of, and keep in proper condition the public weights and measures, now or hereafter to be used by the inhabitants in buying or selling.

Time of opening and closing such Markets.

Vide Act, No. 133. Clause III.

Market place in the Town of St. George, defined and declared. Those in the out Parishes and Carriacou to be fixed by the Justices in their Sessions.

Clause IV. Every day of the week, Sunday excepted, declared to be Market days.

Clause V. Sunday Markets prohibited.

Penalty for sale or purchase of commodities on the Sabbath day, and punishment for default of payment thereof.

Proviso.

1st, One moiety of fine to be given to the informer.

2nd, Exceptions as regard the buying and selling of bread, *meat*, &c., and the cooking of victuals.

Vide Act, No. 133.

Clause VI.

Clerks of the Markets to be appointed by the Governor, and to be Cage Keepers, with authority to carry the duties herein imposed into effect, and to settle all disputes between buyer and seller in their respective Markets.—Vide Act, No. 89, Clause 30.

Clause VII.

Salaries of the respective Clerks of the Markets.

Clerks of the Markets, &c., previous to entering upon the duties of their office to be sworn before the Governor faithfully to discharge the same.

Vide Act, No. 148.

Clause VIII.

Clerks of Markets to attend their duty in person, except in cases of sickness, or other good cause of absence, and to keep their respective Markets clean, and the public weights and measures in good condition.

Clause IX.
Use of steel-yards
prohibited.

And be it enacted, That it shall not be lawful for any person or persons whomsoever to use steel-yards in selling meat or any other article in any of the said markets.

Clause X.
Meat and Turtle for
sale, to be brought
to the Market-
houses, and fish to
such places as the
Magistrates shall
appoint, and not to
be sold until in-
spected by Clerks of
Markets.

And be it enacted, That all manner of meat and turtle intended for sale, in the said Towns, shall be brought to the Market houses for that purpose, and that all sea or river fish shall be brought to such place or places in the Town of Saint George, and other Towns in this Island, and Carriacou, as shall be appointed by the Magistrates of the said Towns and Parishes for that purpose, and no person shall sell or dispose of any part thereof, until the same shall have been inspected and approved of by the Clerks of the Markets, and by them pronounced to be wholesome and fit for sale, and every person offending against the provisions of this clause, shall, on conviction thereof, before two or more Justices of the Peace, be made to pay a fine not exceeding two pounds, or in default of payment, be imprisoned for any time not exceeding ten days.

Penalty for infringe-
ment of the provi-
sions of this clause.

Clause XI.
Meat and fish unfit
for use, on the cer-
tificate to that ef-
fect by two house-
holders, to be de-
stroyed by Clerk of
the Market.

And be it enacted, That if any person or persons shall bring or send to Market in any of the aforesaid Towns, or expose for sale therein, any beef, veal, mutton, pork, turtle or fish, which there is reason to suppose is unwholesome and unfit for use, the Clerk of the Market where the circumstance takes place shall call any two or more respectable householders to inspect the said meat, turtle or fish, and if they find the same to be unwholesome, or from other causes not fit for use, they shall certify the same to the said Clerk of the Market, who shall in every such case, cause the said meat, turtle or fish, to be destroyed.

Clause XII.
Penalty for offering
for sale the meat of
animals poisoned
or diseased.

And be it enacted, That if any person shall offer for sale any meat of any animal which has died in any diseased state, or which has been strangled, or which has died of poison, or has been slaughtered under any disease, every such person shall on conviction thereof, before two or more Justices of the Peace, be fined for each and every such offence in a sum not exceeding ten pounds, and in default of payment, shall be imprisoned for a period not exceeding sixty days.

Clause XIII.
Justices of the Town
of Saint George to
frame rules and ap-
point fees for the
Market-house in
that Town, subject
to the Governor's
approval.

And be it enacted, That the Justices of the Peace for the Town of Saint George shall frame such rules and regulations to be observed in the Market-House, of the Town of Saint George, and shall therein appoint such fees to be collected by the Clerk of the Market on all meat and turtle brought to be sold therein, as by them shall be considered proper, such rules and regulations to be submitted to the Governor, for the time being, and after being approved by him shall be binding on all persons whomsoever; and any person infringing the said rules and regulations, on conviction before two or more Justices of the Peace, shall be liable to be fined for each and every such offence in a sum not exceeding two pounds, and in default of payment, to be imprisoned for a period not exceeding ten days.

Penalty for infringe-
ment of such rules,
&c.

Clause XIV.
Justices for the out
Parishes to frame
such rules as they
may think proper
for their respective
Markets, subject to
the provisions in
that respect in the
foregoing clause.

And be it enacted, That in like manner the Justices of the Peace for the other Parishes of the Colony, shall frame such rules and regulations for the Market of each of the other Towns, as shall appear necessary, and such rules and regulations having received the approval of the Governor, for the time being, shall be binding on all persons, under the same penalties as are provided for in the foregoing clause.

Clause XV.
Rules, &c., may be
altered by Justices
in Session.
Proviso.

And be it enacted, That any of the aforesaid rules and regulations for each of the said Markets may be altered and amended by the Justices of the Peace in Session, when found necessary; Provided always, that no amendment or alteration shall be valid, or binding without the approval of the Governor for the time being.

Clause XV.
Assize and price of
bread.

And be it enacted, That the assize of best wheaten bread, and the price thereof, within this Island and its Dependencies, shall be as follows, that is to say, when best superfine flour shall be sold at forty shillings per barrel of one hundred and ninety-six pounds, then the loaf of best white bread of the value of one shilling shall weigh, after being baked, four pounds and

eight ounces, and the loaf of like bread of the value of sixpence, shall weigh, after being baked, two pounds and four ounces, and the loaf of like bread of the value of three pence, shall weigh, after being baked, one pound and two ounces, and the loaf of like bread of the value of one penny, shall weigh after being baked, six ounces, and the loaf of like bread of the value of a half-penny, shall weigh, after being baked, three ounces, avoirdupois; and as the price of superfine flour rises or falls, the weight of bread shall be altered by the Justices of the Peace in proportion thereto.

To be altered by the Justices, as the price of flour varies.

And be it enacted, That the Clerk of the Market for the Town of Saint George, shall ascertain the price of the best wheaten flour throughout the said Town, upon the morning of each Saturday, and advertize the same, together with the assize of bread, in the Public Gazette, issued on that day, if any, and if not, on the next publication day; and the assize so published as aforesaid, shall be the assize of bread in these Islands, and shall continue such until an alteration takes place therein; and all bakers of bread are hereby required and enjoined to conform thereto.

Clause XVII.
Clerk of Market of St. George to publish on every Saturday, the assize of bread and price of flour, such assize to be observed by all bakers, &c.

And be it enacted, That each Clerk of the Market shall, as often as he may deem it necessary, or be directed by the Justices of the Peace so to do, visit the several baking shops in the Town and Parish, to which he is appointed, for the purpose of ascertaining the weight of bread, and also examine and weigh all bread publicly exposed for sale; and in all cases wherein any of the said Clerks of the Markets shall find any bread deficient in weight, it shall be lawful for them, and they are hereby authorized and required to seize the same, and distribute it among the poor; and every person who shall oppose or molest any of the said Clerks of the Markets, or who shall refuse to permit their bread to be weighed, or whose bread shall be found deficient in weight, shall, upon conviction thereof before two or more Justices of the Peace, be made to pay for each offence a fine not exceeding two pounds, and in default of payment, shall be imprisoned for any time not exceeding ten days.

Clause XVIII.
Clerks of Markets authorized to weigh and examine all bread for sale.

Bread found deficient in weight, how to be disposed of.

Penalty, &c., for obstructing Clerks of Markets in the foregoing duty.

And be it enacted, That each of the Clerks of the Markets aforesaid, shall, from time to time, inspect and ascertain the state of the weights and measures used in selling in each of the said Markets, and in the stores or shops in each of the said Towns, and shall verify the same according to the standards of weights and measures provided, or to be provided, by the Legislature of these Islands for that purpose, and in all cases wherein any of the said Clerks of the Markets shall find any weights or measures deficient, they shall take away and destroy the same.

Clause XIX.
Clerks of Markets to inspect and regulate all weights and measures.

Weights, &c., found deficient, how to be disposed of.

And be it enacted, That any person or persons who shall obstruct or prevent any Clerk of the Market from inspecting his or their weights and measures when called upon for that purpose, or who shall be found making use of any weights or measures, knowing the same to be defective, shall, upon conviction for every such offence before two or more Justices of the Peace, be fined in a sum not exceeding ten pounds, and in default of payment, be imprisoned for any time not exceeding ninety days.

Clause XX.
Penalty, &c., for obstructing Clerk of Market in inspecting such weights and measures, and for making use of such, being defective.

And be it enacted, That the Clerks of the Markets for the said Towns, or their Deputies, shall, once in every month, pay over and deliver to the Public Treasurer, at his Office, for the public uses of this Colony, all fees and fines which, under and by virtue of this Act, shall have been collected and received by them respectively.

Clause XXI.
Clerks of Markets to pay to public Treasurer each month all fines and fees received.

And be it enacted, That it shall not be lawful for any person or persons to play at quoits, cricket, or any other game or games in the Market-places, in the said Towns, neither shall it be lawful for any person to fly kites, or trundle hoops, or leave any filth, rubbish, straw or plantain stalk in the said Market-places; and if any person be convicted of having offended against the provisions of this clause, the Justices before whom the conviction shall take place, shall, for either offence, fine the offender in a sum not exceeding twenty shillings, or, in default of payment, shall imprison such offender for any time not exceeding five days.

Clause XXII.
Playing at Quoits, Cricket, &c., &c., in the market places prohibited, and penalty, &c., for such offences.

Vide Act, No. 84, Clause 6, Act No. 134, Clause 11, and Act No. 136, Clause 17.

Clause XXIII.

Justices empowered to hear and determine complaints against Clerks of Markets, and how to proceed on proof thereof.

Proviso.

Clause XXIV.

Fines imposed by Justices to be paid into Treasury.

Clause XXV.

Declared to be a Public Act.

And be it enacted, That it shall and may be lawful for any two or more Justices, and they are hereby authorized, to hear and determine all complaints against any Clerk of the Market, or his Deputy, and to require him to appear and answer such complaints, and may, if they see cause, fine such Clerk or deputy, for any offence or wilful negligence of duty which may have been proved against him, provided the said fine shall not exceed five pounds; Provided also, that whenever it shall appear to the said Justices, that any Clerk of the Market is guilty of gross dereliction of duty, they shall, and are hereby required to report the same to the Governor or Commander-in-Chief for the time being.

And be it enacted, That every sum which, by any Justice or Justices of the Peace, shall be adjudged to be paid as a penalty or fine for any offence against this Act, shall be paid or delivered over to the Public Treasurer, to be applied to the public uses of this Colony.

And be it enacted, That this Act shall be a Public Act, and shall be noticed as such by all Judges, Justices, and others whom it may concern.

No. CXIII.

An Act for assessing and ascertaining the valued rental of certain houses, stores, sheds, buildings, lots and tenements, and for granting and regulating licenses to retail spirits; to trade as a hawker, pedlar or petty chapman; to carry on the business of an auctioneer; and to possess certain boats and canoes, respectively. [Dated 20th June, 1843.]—Left to its operation by Order in Council, dated 2nd October, 1843.

Vide Acts, Nos. 128, and 179.

Preamble.

WHEREAS, it is requisite that the valued rental of certain houses, stores, sheds, lots and buildings, within this government, shall be, in the present year, and in each successive year thereafter, assessed and ascertained in the manner hereinafter mentioned: And whereas, it is also requisite to regulate the granting of licenses to persons to sell or barter spirits and spirituous liquors, by retail, in small quantities, at one and the same time; and to persons to go and travel from place to place, as hawkers, pedlars, and petty chapmen; and to persons, to follow and practice the business or calling of an auctioneer or vendue master; and to persons, to keep or possess certain boats and canoes, respectively, within this government, in the manner hereinafter mentioned;

Clause I.

Assessors for ascertaining value of rental of houses, buildings, &c.

Be it therefore enacted, by the Governor, the Members of Her Majesty's Council and the Representatives of the People in General Assembly convened, and it is hereby enacted by the authority of the same, that, for assessing and ascertaining the value of the rental of all houses, stores, sheds, buildings, lots, and tenements, within this Government, the proprietors whereof, are, or shall be liable to the payment of any rates, taxes, or assessments, imposed by any act or acts now in force, or at any time, or from time to time hereafter to be passed, imposing any such rates, taxes, and assessments thereon, respectively, in respect to the occupation thereof, the following persons shall be, and they are hereby appointed, assessors for the present year, that is to say:—For the Town of Saint George, James Chambers, Thomas McEwen and Henry Davis:—For the Parish of Saint George, Samuel Hood, John Ross and William Cameron:—For the United Parishes of Saint John and Saint Mark, William H. Baikie, Henry Dolton and John M. Gay:—For the Parish of Saint Andrew, William Welsh, William Bell and Peter Mudie:—For the Parish of Saint Patrick, David McAlpin, Loftus Webster and Charles Weston:—For the Parish of Saint David, Donald Campbell, Benjamin Venn and John Dubisset; and for the

Island of Carriacou and the Grenadines, Alexander Fraser, James Thom and Henry Versepuy.

And be it further enacted, that it shall and may be lawful for the House of Assembly, with the concurrence of the Members of Her Majesty's Council, at such time or times as may be found necessary, in each year, after the current year, to nominate and appoint three fit persons for the Town of Saint George, three fit persons for each of the Parishes of Saint George, Saint Andrew (including the town of Grenville,) Saint Patrick, (including the town of Saint Patrick,) Saint David, (including the town of Saint David,) three fit persons for the United Parishes of Saint John and Saint Mark, (including Charlotte Town and the town of Saint Mark,) and three fit persons for the Island of Carriacou and the Grenadines, to be assessors, for assessing and ascertaining the value of the rental of all such houses, stores, sheds, buildings, lots and tenements, as hereinbefore mentioned, in the several years for which they shall, respectively, be so nominated and appointed assessors.

Clause II.
Repealed by Act,
No. 175, and other
provisions substituted.

And the better to assist the assessors, in assessing and ascertaining the value of the rental of all such houses, stores, sheds, buildings, lots and tenements, as hereinbefore mentioned; be it also enacted, that within fifteen days after the passing of this Act, the Public Treasurer shall, and he is hereby required to transmit to the assessors by this Act appointed, and hereinbefore named, respectively, copies of the last returns made to him by the assessors, for that purpose appointed by an Act intituled "An Act for granting to Her Majesty an aid by duties, and by rates, taxes and assessments," and bearing date the eighth day of September, one thousand eight hundred and forty-two; and that on or before the first day of July, in the year one thousand eight hundred and forty-four, and on or before the same day in each succeeding year thereafter, the Public Treasurer shall, and he is hereby required, to transmit to the assessors, to be by the House of Assembly, with the concurrence of the Members of Her Majesty's Council, so nominated and appointed as hereinbefore mentioned, respectively, copies of the last returns, which for the time being, shall have been made by the assessors, for that purpose appointed, under or in pursuance of this Act.

Clause III.
Treasurer to transmit to Assessors, copies of last returns made by the former assessors within fifteen days after the passing of this Act, and on or before 1st July in every subsequent year.
Vide Act, No. 175.

And be it further enacted, That the several persons, hereinbefore nominated and appointed, and hereafter to be nominated and appointed assessors as hereinbefore mentioned, shall, and they are respectively hereby required to take, before some Justice of the Peace, an oath for the discharge of their several duties, respectively, as such assessors, and thereupon to proceed by personal inspection or otherwise, to inquire, assess, and ascertain the value of the rental of all houses, stores, sheds, buildings, lots and tenements, mentioned or described and set forth in the said copies of the said last returns, in and by the last preceding clause of this Act, required to be transmitted by the Public Treasurer to them, and likewise the value of the rental of all other houses, stores, sheds, buildings, lots and tenements, in the several towns and parishes of the said Island of Grenada and in Carriacou, respectively, and which may happen not to be mentioned, or described, or set forth in the said copies of the said returns, but for, or in respect of which last mentioned houses, stores, sheds, buildings, lots and tenements, respectively, the owners or proprietors thereof, are, or shall be made liable to the duties, rates, taxes, and assessments imposed upon them, in respect of the occupation thereof, respectively, as hereinbefore mentioned; and the said assessors shall, and they are hereby further required, to make a return in writing under their respective hands, within forty-five days next after the passing of this Act, and, on or before the first day of August, in each succeeding year thereafter, to the Public Treasurer, of their assessment of the value of the rental aforesaid, and in default thereof, the said assessors so making default in any of the premises, shall forfeit a sum not exceeding twenty pounds.

Clause IV.
Assessors to take oath before a Justice of the Peace previous to entering upon their duties.
Manner of proceeding thereupon.

Vide Act, No. 175.

Penalty in default of due performance of duties.

Clause V.
Assessors may sum-
mon and examine
on oath, parties in-
terested in the pre-
mises.

Clause VI.
Proceedings to be
observed by Asses-
sors, previous to
making return to
Treasurer.

Parties aggrieved,
may tender objec-
tion to assessment
—mode of proceed-
ing in such case.

Clause VII.
Duty specified in
annual Money Bill
for retailing spirit-
uous liquors, to be
first paid, and cer-
tificate obtained
previous to the re-
tailing thereof in
smaller quantity
than allowed in such
Money Bill.

Such certificate to
entitle parties to re-
tail spirits, &c., in
one place, for the
space of 12 months.

Clause VIII.
Penalty for retail-
ing spirits, &c.,
without license.

Clause IX.
Executors, adminis-
trators, &c., autho-
rised to retail spi-
rits, &c., under the
license granted to
the deceased party,
during its unexpired
term, they enter-
ing into due recog-
nizance.

And be it further enacted, That the assessors shall, and they are hereby respectively authorized, if need be, to summon before them, and to examine upon oath, (which oath they are hereby authorized to administer,) all, or any person or persons, in any way interested in the premises.

And be it further enacted, That for the space of ten days before the assessors, respectively, shall make their return hereinbefore mentioned, to the Public Treasurer, they shall give notice in some, or one of the public newspapers of Grenada, that they have prepared their assessments, and will hear any objections that may be made to them, before their return, by any person or persons aggrieved; and if any person or persons be aggrieved by any assessment to be made, of the value of the rental of any houses, stores, sheds, buildings, lots or tenements, in pursuance of this Act, it shall be lawful for such person or persons so aggrieved, to tender an objection or objections thereto, and the assessors after having heard the objection or objections, shall either admit the same, and amend their assessment accordingly, or dismiss or reject the objection or objections, as they shall see and judge proper, and every assessment after being returned to the Public Treasurer, shall be binding and conclusive upon all parties whomsoever.

And be it enacted, That from and after the passing of this Act, all and every person and persons who shall sell or barter spirits, or spirituous liquors, or any mixture thereof, within this government, by retail, in smaller quantity than such as shall be allowed by, and specified in any Schedule to the annual Money Bill, that may be in force and operation at the time of granting the license or certificate in that behalf, hereinafter mentioned, shall, before he, she or they, shall sell or barter any spirits or spirituous liquors, or any mixture thereof, within this government, by retail, in such smaller quantity than as hereinbefore mentioned, first, pay unto the Public Treasurer such duty or sum of money, as in that behalf shall be inserted or described and set forth in figures in the said Schedule, to be annexed to such annual bill; and upon payment of the said duty or sum of money to the Public Treasurer, he the Public Treasurer shall, and he is hereby required, to grant unto such person or persons, a certificate under his hand, that such duty or sum of money has been so paid, and such certificate, shall have the effect of a license, and shall entitle such person or persons to whom the same shall be granted, to sell and barter spirits and spirituous liquors, or any mixture thereof, by retail, in such smaller quantity than as hereinbefore mentioned, but at one and the same time, and not otherwise, for the space of twelve calendar months from the date thereof, and no longer.

And be it further enacted, That if any person or person shall sell or barter any spirits or spirituous liquors, or any mixture thereof, by retail, in such smaller quantity than as hereinbefore mentioned, or at any other than one and the same time, without first taking out a license or certificate, authorising him, her, or them so to do, he, she, or they, shall, for every such offence, forfeit the sum of forty pounds.

And be it further enacted, That upon the death of any person so licensed, or upon the removal of any person or persons so licensed, from the house or premises in which, such his, her, or their license shall authorize him, her, or them, to sell or barter spirits and spirituous liquors, or any mixture thereof, by retail, in smaller quantity than as hereinbefore mentioned, at one and the same time, it shall be lawful for the executors, administrators, or assigns, after the death or removal of the former occupier of the house or premises, in like manner to sell or barter spirits and spirituous liquors, or any mixture thereof, by retail, in smaller quantity than as is hereinbefore mentioned, at one and the same time, in the same house or premises, where such person or persons so licensed, by virtue of such license, carried on such trade, during the residue of the term for which such license was originally granted, without taking out a new license, during

the residue of the said term, so as such executors, administrators, or assigns shall enter into such recognizance, with such surety or sureties as herein-after required, in respect of the former occupier of the house or premises: Provided always, that persons trading in partnership, and in one house or premises only, shall not be obliged to take out more than one license, to sell or barter spirits and spirituous liquors, or any mixture thereof, by retail, in smaller quantity than as hereinbefore mentioned, at one and the same time, in the twelve calendar months, for which such license shall be granted, and that no one license, which shall be granted by virtue of this Act, shall authorize or empower any person or persons, to sell spirits or spirituous liquors, or any mixture thereof, by retail, in smaller quantity than as hereinbefore mentioned, at one and the same time, in any other house or premises, than the house or premises which shall be mentioned or described for that purpose, in such license.

Proviso.
One license only required, when parties trade in partnership, and in that house only, described in such license.

And be it further enacted, That every person or copartnership firm to whom a license shall be so granted, to sell or barter spirits and spirituous liquors, or any mixture thereof, by retail, in smaller quantity than as hereinbefore mentioned, at one and the same time, shall have the words "LICENSED TO RETAIL SPIRITUOUS LIQUORS," in large and legible characters, affixed over the most public door of the house or premises, to which shall be added the number of the license, which shall correspond with the number in the Public Treasurer's Book, and in default of his, her, or their, so doing, he, she, or they, shall, on conviction before two Justices of the Peace, upon the oath of one credible witness, or by the confession of the party so offending, forfeit the sum of forty pounds.

Clause X.
Parties retailing spirits to affix the words "licensed to retail spirituous liquors," over their doors, and the number of their license &c.
Penalty for omission thereof.

And be it further enacted, That every person to whom the Public Treasurer shall grant a license, to sell or barter spirits and spirituous liquors, or any mixture thereof, by retail, in smaller quantity than as hereinbefore mentioned, at one and the same time, shall, upon such license or authority being granted or issued, enter into a recognizance, before any Justice of the Peace, to the Queen, her heirs and successors, in the sum of twenty pounds; and in case the person or persons applying for such license shall be hindered through sickness, or infirmity, or any other reasonable cause, to attend in person before the Public Treasurer for such license, that, then it shall be lawful for the Public Treasurer to grant such license or authority, upon two sufficient sureties entering into such recognizance, each surety in the penalty of twenty pounds, for the performance of the conditions of the said recognizance; and every such recognizance shall be acknowledged in the presence of, and signed by any Justice of the Peace, who is hereby authorized to take and sign the same, and the same, with the condition thereof fairly written or printed, shall be exhibited to, and left with the Public Treasurer at his Office, who shall immediately thereafter deposit the same in the Office of the Island Secretary as a record: Provided always, that no police officer or constable shall be entitled to any such license, nor shall he be surety for any person licensed to sell spirits by retail, in smaller quantity, than as hereinbefore mentioned, at one and the same time, under this Act.

Clause XI.
Party taking out such license to enter into recognizance in the sum of £20.

In case of sickness of the party.

Recognizance.

Police Constable prohibited from retailing or being surety for retailer

Provided always, and be it further enacted, That all licenses granted, and all recognizances entered into under the Act intituled, "An Act for granting to Her Majesty an aid, by duties and by rates, taxes and assessments," and bearing date the eighth day of September, one thousand eight hundred and forty-two, to sell or barter spirits and spirituous liquors, or any mixture thereof, as in the said recited Act, and in such licenses respectively mentioned, shall remain in full force and virtue, until the end of the terms for which such licenses and recognizances, respectively, have been granted and entered into, and all offences against the tenor of the said licenses, or in breach of the condition of such recognizances, and all offences committed against the said Act, in the premises, before the commencement of this Act, shall, and may be prosecuted, heard, determined and punished, as if

Clause XII.
Licenses, &c., granted under last Money Bill to continue until expiration of period therein specified.
Offences committed before and after commencement of this Act, how to be prosecuted and punished.

this Act had not been made; and all such offences committed, after the commencement of this Act, shall be prosecuted, heard, determined, and punished, under the provisions of this Act.

Clause XIII.
Upon payment of duty specified in annual Money Bill, license to be granted to hawk about goods, &c., for the period therein named.

And be it enacted, That from and after the passing of this Act, there shall be paid, by every hawker, pedlar, petty chapman, or any other trading person, or persons, going from place to place, or to other men's houses, and travelling either on foot or with horse or horses, mule or mules, ass or asses, within this government, (except as hereinafter provided), carrying to sell, or exposing to sale any goods, such duty or sum of money as shall be in that behalf allowed by, and inserted or described, and set forth in figures in any Schedule to the annual Money Bill that may be in force and operation at the time of granting the license or certificate in that behalf, hereinafter mentioned, and thereupon a certificate shall be granted by the Public Treasurer under his hand, that such duty or sum of money has been so paid to him, and such certificate shall have the effect of a license, and shall entitle such person or persons to whom the same shall be granted, so to travel or to trade as hereinbefore mentioned, and every such license when granted, shall be and continue in full force and virtue for such space of time, from the date thereof, and no longer, as in such license or certificate shall be expressed.

Clause XIV.
Penalty for trading without, or failing to produce a license to hawk about goods, &c.

And be it further enacted, That if any such hawker, pedlar or petty chapman, from and after the passing of this Act, be found trading as aforesaid, without or contrary to such license, or that if any person so trading, upon demand made by any Justice of the Peace of any Town or Parish within this government, where he or she shall so trade, shall refuse to produce and show unto such Justice of the Peace, his or her license for so trading, to be granted as aforesaid, that then the person so found trading without, or contrary to, or so refusing to produce such license, shall forfeit the sum of four pounds.

Clause XV.
Hawker, &c., may be detained until license be produced or notice given to a Constable.

And be it further enacted, That it shall and may be lawful for any person or persons whomsoever, to seize and detain any hawker, pedlar, or petty chapman, or other trading person or persons, as aforesaid, till such time as he, she, or they, shall, produce a license in that behalf, if he, she or they, have any, or if he, she, or they, be found trading without a license, contrary to this Act, for such reasonable time as such person or persons, so seizing and detaining, may give notice to any constable, who is hereby required to carry such person, so seized and detained, before some one Justice of the Peace, within the Town or Parish in which such offence or offences shall be committed, which said Justice of the Peace, is hereby authorized and strictly required, either upon confession of the party offending, or due proof by witness, upon oath, (which oath he is hereby empowered to administer,) that the person so brought before him, had so traded as aforesaid, or if upon demand made by such Justice, no license shall be produced by such offender before the said Justice, by warrant under his hand and seal, to cause the said sum of four pounds to be forthwith levied by distress and sale of the goods of the offender or offenders, rendering the surplus, if any, to the owner or owners thereof, after deduction of the reasonable charge for taking and selling the said distress, and out of the said sale to pay the forfeiture.

Proceedings to be observed by Constable, and Justice of the Peace.

Penalty and proceeding in default of payment thereof.

Clause XVI.
Meat, Fish, Bread, Victuals, &c., may be sold without license.

Provided always, and be it further enacted, That this Act or any thing herein contained, shall not extend to prohibit any person or persons from selling any meat, fish, fruit, milk or victuals, nor from selling, or exposing to sale, any sort of goods or merchandize in any public and appointed Mart or Market, in any Town or parish within this Government, but that such person and persons may do therein, respectively, as he, she or they might have done, if this Act had not been made, any thing herein contained to the contrary, notwithstanding.

Clause XVII.
Upon payment of the duty in that re-

And be it enacted, That from and after the passing of this Act, there shall be paid by every person following and practising the business or calling

of an auctioneer or vendue-master, within this Government, such duty or sum of money, as shall be in that behalf allowed by, and inserted or described and set forth in any Schedule to the annual Money Bill that may be in force and operation, at the time of granting the license or certificate in that behalf, hereinafter mentioned, and thereupon, a certificate shall be granted by the Public Treasurer, under his hand, that such duty or sum of money has been so paid, and such certificate shall have the effect of a license, and shall entitle such person or persons to whom the same shall be granted, to follow and practice the business or calling of an auctioneer or vendue-master, and every such license when granted, shall be, and continue in full force and virtue, for such space of time from the date thereof, and no longer, as in such license or certificate shall be expressed.

Provided always, and be it further enacted, That persons trading in partnership, shall not be obliged to take out more than one license, to follow and practice the business or calling of an auctioneer or vendue-master, in the space of time for which such license shall be granted.

And be it further enacted, That if any person or persons, from and after the passing of this Act, be found following and practising the business or calling of an auctioneer or vendue-master, without such license, he, she, or they shall forfeit the sum of twenty pounds.

And be it enacted, That from and after the passing of this Act, there shall be paid by every person possessing or keeping any open boat or boats, not having an entire deck, or any canoe, within this government, such duty or sum of money as shall be in that behalf allowed by, and inserted or described and set forth in figures, in a Schedule to the annual Money Bill, that may be in force and operation, at the time of granting the license or certificate in that behalf, hereinafter mentioned (except such boats, if any, as in the said Schedule shall be excepted,) and thereupon, a certificate shall be granted by the Public Treasurer, under his hand, that such duty or sum of money has been so paid, and such certificate shall have the effect of a license, and shall entitle such person, to whom the same shall be granted, to possess or keep such boat or canoe, and every such license when granted, shall be, and continue in full force and virtue for such space of time from the date thereof, and no longer, as in such license or certificate shall be expressed; And the Public Treasurer shall designate every such license with a distinct number or letter, and shall deliver the said license, so numbered or lettered, to the party entitled to, and applying for the same, and every person possessing or keeping such boat or canoe, shall have the number or letter by which such license shall be designated, painted and kept legible in letters, or in letters and figures, as the case may require, each letter and figure not less than three inches in length, within the stern, or on some other conspicuous part of such boat or canoe.

And be it further enacted, That persons being in partnership, in regard to any such boat or canoe, shall not be obliged to take out more than one license to possess or keep the same, in the space of time for which such license shall be granted.

And be it further enacted, That if any person or persons, from and after the passing of this Act, shall possess or keep any open boat, not having an entire deck, or any canoe, within this government, (except as hereinbefore mentioned), without such license, or shall omit to have the number or letter by which such license shall be designated, painted, and kept legible, each letter or figure being not less than three inches in length, within the stern, or upon some other conspicuous part of such boat or canoe, he, she, or they shall forfeit a sum not exceeding two pounds, one half of such forfeiture to be paid to Her Majesty, and the other half to be paid to the informer.

And be it further enacted, That the Public Treasurer shall require the chief or any other constable, in the respective Towns and Parishes within this Government, to measure, externally, the length of the several or any

specification in the annual Money Bill, a license may be granted to act as Vendue Master for the period in such license stated.

Clause XVIII.
One license sufficient for parties trading in partnership.

Clause XIX.
Penalty for acting as Vendue Master without license.

Clause XX.
Upon payment of the duty in that respect specified in the Annual Money Bill, license to be granted to keep boats &c., for the period in such license named.

Proceeding thereupon to be observed by Public Treasurer and owner of such Boats, &c.

Clause XXI.
One license sufficient for parties owning Boat &c., conjointly.

Clause XXII.
Penalty for keeping boat without license, or omitting to paint the number or letter thereon, as herein provided.

Clause XXIII.
Constable to make return to Public Treasurer of length,

and Owner of Boats liable to duty in their respective districts.

Penalty for refusal or omission thereof.

Clause XXIV.
Proceeding in case of refusal or neglect on the part of owners of Boats, to comply with the foregoing provisions.

Clause XXV.
Licenses granted under last Money Bill, to continue until expiration of period therein named, and offences against the tenor thereof, to be punished under the provisions of that Act.

Offences, &c., committed subsequent to the passing of this Act, to be punished under its provisions.

Clause XXVI.
Forfeitures, Penalties, &c., to be paid to public Treasurer.

Clause XXVII.
When no remedy is given for the payment of forfeitures herein imposed, how the same shall be enquired of, and adjudicated.

Clause XXVIII.
Manner of proceed-

of the boats or canoes made liable to the payment of the duty hereinbefore mentioned, and to ascertain the owner, or owners thereof respectively, and to make a return thereof respectively, to him, within fifteen days from the time the said constable shall receive such requisition from the Public Treasurer, and if such constable refuse or omit so to do, he shall forfeit the sum of four pounds.

And be it further enacted, That it shall be lawful for any constable, and the several constables in the Towns and Parishes within this Government, are respectively enjoined to seize and secure all boats and canoes, for the possessing or keeping of which respectively, a license is hereinbefore required to be obtained, and within the stern or on some other conspicuous part of which said boat or canoe, the person or persons keeping or possessing the same, shall not have the number or letter of his license painted and kept legible, as hereinbefore in that behalf is required, until the owner or owners shall obtain such license as aforesaid, within the space of ten days; but if the owner or owners of such boat or canoe, shall refuse, neglect, or omit to obtain such license within the said space of ten days after such seizure, then the boat or canoe so seized and secured, shall thereupon, or as soon as conveniently may be, be sold by the Public Treasurer, and the proceeds shall, after payment of all costs of sale, be applied to the public uses of this Colony.

Provided always, and be it further enacted, That all licenses granted under the said Act, intituled, "An Act for granting unto Her Majesty an aid, by duties and by rates, taxes, and assessments," and bearing date the eighth day of September, one thousand eight hundred and forty-two, whether such licenses are to hawk about and to sell, retail and barter goods, wares and merchandize, as huckster, hawker, or pedlar, as in such licenses respectively are mentioned, or to act and do business as an auctioneer or vendue-master, as therein mentioned; or to possess or keep any boat or canoe, as therein mentioned, shall respectively remain in full force and virtue, until the end of the respective terms, for which such licenses respectively, have been granted; and all offences against the tenor of the said respective licenses; and all offences against the said Act, in the respective premises, before the commencement of this Act, shall and may be prosecuted, heard, determined and punished, as if this Act had not been made; and all such respective offences, committed after the commencement of this Act, shall be prosecuted, heard, determined and punished, under the provisions of this Act.

And be it further enacted, That all forfeitures incurred and imposed under or by virtue of this Act, shall, except where otherwise herein expressed, be paid to the Public Treasurer, who is hereby authorized to receive the same.

And be it further enacted, That if any person or persons whomsoever, shall become liable, under the provisions of this Act, to the payment of any of the forfeitures respectively, hereinbefore imposed and mentioned, and for which no other remedy is given or provided in or by this Act, then and in every or any such case, the same shall be inquired of, and adjudicated by or before two or more Justices of the Peace, and upon complaint thereof respectively, made by or on the part, or at the instance and request of the Public Treasurer, to any two or more Justices of the Peace whomsoever, such Justices of the Peace shall, and they are hereby required, to summon the person or persons charged, to appear at a time and place to be named in such summons, and if he, she, or they, shall not appear accordingly, then, upon proof of due service of the summons upon such person or persons, or by leaving the same at his, her, or their usual place or places of abode, the Justices may either proceed to hear and determine the case, or issue their warrant for apprehending such person or persons, and for bringing him, her or them, before such Justices.

And be it further enacted, That in every case of a summary conviction under this Act, where the sum, which shall be forfeited, shall not be paid

either immediately after the conviction, or within such period, not exceeding ten days after the conviction, as the Justices shall, at the time of the conviction, appoint, it shall be lawful for the convicting Justices, where the amount of the sum forfeited shall not exceed five pounds, by warrant under their hands and seals, to authorize and require any constable, to levy the same, together with the costs and charges attending such levy, by distress and sale of the goods and chattels of the person or persons so convicted, and in default of such distress, it shall and may be lawful for such Justices to commit such person or persons so convicted, to the common gaol of this Island, there to be imprisoned, for any term not exceeding one calendar month, or until payment of such sum so forfeited : And where the amount of the sum forfeited, shall exceed five pounds, by warrant under their hands and seals, to authorize and direct the Provost-Marshal-General to levy the same, together with the costs and charges attending such levy, upon the goods and chattels, lands, tenements, and hereditaments of the person or persons so convicted, in the same manner, and under the same regulations and restrictions, as he would levy, under execution, any debt or damages recovered in the Supreme Court of Judicature, and in default of goods and chattels, lands, tenements, and hereditaments of the person or persons so convicted, it shall and may be lawful for the Provost-Marshal-General, to take the body or bodies of the person or persons so convicted, and him, her, or them, to imprison in the common gaol of this Island, for any term not exceeding three calendar months, as the said Justices shall direct, or until payment of such sum so forfeited.

And be it further enacted, That no action or suit shall commence against any person or persons whomsoever, for any matter or thing to be done in pursuance of this Act, until after seven days notice at the least, in writing, shall be thereof given to such person or persons, or left at his, or their last usual place or places of abode, signed by the Attorney-at-Law for the intended plaintiff or plaintiffs, specifying the cause or causes of such action, or after sufficient satisfaction made or tendered, or after three calendar months next after the fact committed, for which such action or actions, suit or suits, shall be so brought, and that the defendant or defendants in such action or actions, suit or suits, and every of them, may plead the general issue, and give this Act and the special matter, in evidence, at any trial or trials, which shall be had thereupon, and that the matter or thing for, or in which such action or actions, suit or suits, shall be brought was done in pursuance, and by authority of this Act, and if the said matter or thing shall appear to have been so done, or if it shall appear that such action or suit was brought before seven days notice, at the least, was given, as before directed, or that sufficient satisfaction was made or tendered as aforesaid, or if any such action or suit shall not be commenced within the time before that purpose limited, then the Jury shall find for the defendant or defendants therein, and if a verdict shall be found for such defendant or defendants, or if the plaintiff or plaintiffs in such action or actions, suit or suits, shall become non-suited, or suffer a discontinuance of such action or actions, suit or suits, or if upon a demurrer or demurrers in such action or actions, suit or suits, judgment shall be given for the defendant or defendants therein, then, in either of the cases aforesaid, such defendant or defendants shall have treble costs, and shall have such remedy and remedies recovering the same, as any defendant or defendants may have, for recovery of his or their costs, in other cases at law.

And be it further enacted, That the forms of certificates, recognizances and licenses, and oaths, hereto annexed, and numbered 1 to 7, shall be the forms used on all occasions, from and after the commencement, and during the continuance of this Act.

ing when the sum forfeited in case of a summary conviction, is not paid within the period appointed.

Clause XXIX.
In case of action or Suit.

Clause XXX.
Forms to be used in pursuance of this Act.

FORMS.

No. 1.

Oath of Assessors. I A. B. do solemnly depose and say, that as an assessor appointed in pursuance of an Act, intituled, (the Title of this Act), and bearing date the day of 1843, to inquire, assess, and ascertain the value of rental of certain houses, sheds, stores, buildings, lots and tenements, in the (Town or Parish, &c., as the case may be), I will well and faithfully fulfil and perform all and singular the matters and duties so thereby referred to me, to the best of my knowledge and ability, without favour or partiality—So help me God.

No. 2.

Oath administered to Owner of House, &c. You shall well and truly answer all such questions as shall be put to you by us, touching or relating to the value of the rental of all houses, stores, sheds, buildings, lots and tenements, in the (Town or Parish, &c.,) wherein you are in any way interested, and the proprietor or proprietors whereof, are made liable to certain rates, taxes and assessments, in respect of the occupation thereof respectively.

No. 3.

Treasurer's Certificate to retailer of Spirits. These are to Certify. That of (street, lane, square, &c.) in the (Town or Parish of, &c.,) has entered into the recognizance and paid to me the duty required by law, to sell spirits and spirituous liquors, by retail, in smaller quantity than gallons, at one and the same time, in the same house, being (the sign of, &c., or other exact description of the house or premises,) wherein he dwells, (or they dwell,) and in the premises thereunto belonging, and not elsewhere; Provided that the said do not keep open (his, her, or their) house, nor permit nor suffer any drinking or tippling in any of (his, her, or their) premises on Sundays, nor shall keep open (his, her, or their) house or premises after the hour of eight of the clock at night, nor before the hour of six of the clock on the following morning. This Certificate having the effect of a License, the power and authority hereby granted shall continue in force and virtue for twelve calendar months from the date hereof, and no longer.

Given under my hand, this day of one thousand, &c.

J. B. G., Public Treasurer.

No. 4.

Recognizance to be entered into by retailer of Spirits. Grenada (to wit)—Before me A. B., one of Her Majesty's Justices of the Peace, C. D. of, &c., (describe him) duly licensed in that behalf, and E. F. of, &c., acknowledge themselves each to be indebted to our Sovereign Lady the Queen in the sum of pounds, (or if the proprietor be unable to attend, say—E. F., of &c., and G. H., of &c., acknowledge themselves each to be indebted to our Sovereign Lady the Queen, in the sum of pounds) to be levied upon their several and respective goods, chattels, lands and tenements, by way of recognizance to Her Majesty's use, her heirs and successors, upon condition that the said C. D. (or if the proprietor be unable to attend, say, upon condition that C. D., of &c., the proprietor of the public house (describing it as in the license) duly licensed in that behalf) do not keep open his, (her or their) house, nor permit or suffer any drinking or tippling in any part of his (her or their) premises on Sundays, nor shall keep open his (her or their) house or premises after the hour of eight of the clock at night, nor before the hour of six of the clock on the following morning, according to the purport of a license granted for selling spirits and spirituous liquors by retail, in smaller quan-

tity than gallons, at one and the same time, in the said house and premises, for twelve calendar months, commencing on the day of , then this recognizance to be void, otherwise to remain in full force and effect,

C. D.

E. F. (or as the case may be)

Acknowledged by the said parties, respectively, before me, this day of , one thousand, &c.

A. B., Justice of the Peace.

No. 5

These are to certify, that A. B., of, &c., has paid to me the sum of being the amount of duty, required by law, to be paid to me, to follow and practice the business or calling of an Auctioneer or Vendue Master. This Certificate having the effect of a license, the power and authority hereby granted, shall continue in force and virtue for calendar months from the date hereof, and no longer.

Treasurer's Certificate of payment of duty to act as Vendue Master.

Given under my hand this day of , one thousand, &c.

J. B. G., Public Treasurer.

No. 6

These are to certify, that A. B., of, &c., has paid to me the sum of being the amount of duty required by law to be paid to me, to trade as a huckster, hawker, pedlar and petty chapman, and to go from place to place, or to other men's houses, and to travel either on foot or with horse or horses, mule or mules, ass or asses, carrying to sell, and exposing to sale any goods. This certificate having the effect of a license, the power and authority hereby granted shall continue in force and virtue for calendar months from the date hereof and no longer.

Certificate of payment of duty to hawk about goods, &c.

Given under my hand, this day of , one thousand, &c.

J. B. G., Public Treasurer.

No. 7.

These are to certify, that A. B., of, &c., has paid to me the sum of being the amount of duty at the rate of per admeasured foot, required by law to be paid to me, to possess and keep an open boat, or a boat, not having an entire deck, (or a canoe), such boat (or canoe) being feet in length, externally measured, and shall have the letter (or number) by which this licence or certificate is designated, painted, and kept legible within the stern, or on some other conspicuous part of such boat (or canoe.) This certificate having the effect of a license, the power and authority hereby granted shall continue in force and virtue for calendar months from the date hereof and no longer,

Certificate of payment of duty to possess Boat or Canoe.

Given under my hand, this day of , one thousand, &c.

J. B. G., Public Treasurer.

No. CXIV.

An Act to define and determine the extent of the privilege of the Members of the Council and Assembly of these Islands and their respective Officers, in respect to the exemption of such Members and Officers from Arrest. [July 28, 1843.]—Left to its operation by Order in Council, dated 2nd October, 1843.

WHEREAS it has become necessary and expedient, more explicitly to define and determine the extent of the privilege of the Members of the Council and Assembly of these Islands, in respect to the exemption of such Mem-

Preamble.

Clause I.
Members and Officers, of the Legislature, exempt from arrest in civil suits, during its Sessions, and for the space of three days before and after such Sessions.

Proviso.
Privilege not to extend to Members or Officers arrested before or after the time herein defined.

Clause II.
Declared to be a public Act.

bers from Arrest. Be it enacted by the Governor, the Council and Assembly of these Islands, and it is hereby enacted by authority of the same, that from and after the publication of this Act, the persons of each and every member of the Council and Assembly of these Islands, and of their respective Officers, shall not be liable to be arrested, or taken in execution, or otherwise imprisoned by virtue of any writ or process, in any civil suit or proceeding, not only for and during the period in which the said Members and Officers shall be actually assembled together, for the despatch of public business, but also for and during the space or time of three days before and after the first and last days, of each and every Session. Provided always that nothing herein contained, shall be construed to give any privilege to, or authorize the release or discharge of any person who shall be arrested or taken in execution, or otherwise imprisoned as aforesaid, at any time before or after the time of privilege hereby defined. And be it enacted, That this Act shall be deemed, and taken to be a public Act, and all persons are to notice it as such accordingly.

No. CXV.

7 William IV., and 1 Victoria, c. 86. An Act to amend the Laws relating to Burglary, and Stealing in a Dwelling-House. [December 12, 1843.]—Left to its operation by Order in Council, dated 17th April, 1844.

Preamble.

No. 79.

WHEREAS it is expedient to amend so much of an Act passed by the Legislature of Grenada, in the year One Thousand Eight Hundred and Thirty-four, intituled, "An Act for the better administration of Criminal Justice," as relates to the punishment of any person convicted of Burglary, and so much of the same Act as relates to any person who shall steal any chattel, money, or valuable security to any value whatever, in any Dwelling-house, any person therein being put in fear, and so much of the same Act as relates to the punishment of principals in the second degree, and of accessories before and after the fact respectively to such of the felonies punishable under the same Act as are hereinbefore referred to; Be it therefore enacted by the Governor, the Council and Assembly of the Island of Grenada and its Dependencies, and it is hereby enacted by the authority of the same, that so much of the said Act as is hereinbefore referred to, shall continue in force until and throughout the day of the passing of this Act, and shall, from and after that day be repealed, except as to Offences committed before or upon that day, which shall be dealt with, and punished as if this Act had not been passed.

Clause I.
Recited Act in part repealed, after the passing of this Act, except as to offences on or before the day of passing.

Clause II.
Burglars using violence to suffer death.

And be it enacted, That whosoever shall burglariously break, and enter into any Dwelling-house, and shall assault, with intent to murder any person being therein, or shall stab, cut, wound, beat, or strike any such person, shall be guilty of Felony, and being convicted thereof shall suffer death.

Clause III.
Punishment of Burglary.

And be it enacted, That whosoever shall be convicted of the crime of Burglary, shall be liable at the discretion of the Court, to be transported beyond the seas for the term of the natural life of such offender, or for any term not less than ten years, or to be imprisoned for any term not exceeding three years.

Clause IV.
When breaking into a House considered Burglary.

Provided always, and be it enacted, That so far as the same is essential to the offence of Burglary, the night shall be considered, and is hereby declared to commence at eight of the clock in the evening of each day, and to conclude at five of the clock in the morning of the next succeeding day.

Clause V.
Stealing in a Dwelling-House with menace.

And be it enacted, That whosoever shall steal any property in any Dwelling-house, and shall, by any menace or threat, put any one being therein, in bodily fear, shall be guilty of Felony, and being convicted thereof,

shall be liable to be transported beyond the seas, for any term not exceeding fifteen years, nor less than ten years, or to be imprisoned for any term not exceeding three years.

And be it enacted, That in the case of every Felony, punishable under this Act, every principal in the second degree, and every accessary before the fact, shall be punishable with death, or otherwise, in the same manner, as the principal in the first degree is by this Act punishable, and every accessary after the fact to any Felony, punishable under this Act, (except only a receiver of stolen property), shall, on conviction, be liable to be imprisoned for any term not exceeding two years.

Clause VI.
Punishment of Accessaries.

And be it enacted, That where any person shall be convicted of any offence, punishable under this Act, for which imprisonment may be awarded, it shall be lawful for the Court to sentence the offender to be imprisoned, or to be imprisoned and kept to hard labour in the common Gaol, or House of Correction, and also to direct that the offender shall be kept in solitary confinement, for any portion or portions of such imprisonment, or of such imprisonment with hard labour, not exceeding one month, at any one time, and not exceeding three months, in any one year, as to the Court in its discretion shall seem meet.

Clause VII.
Offences punishable by imprisonment.

And be it enacted, That nothing in this Act contained shall be construed to affect any of the powers, provisions, or regulations contained in an Act passed in the Session of Parliament, holden in the first and second years of the Reign of Her Majesty Queen Victoria, intituled, "An Act for the better government of prisons in the West Indies."

Clause VIII.
Not to affect Act for the better government of prisons in the West Indies.

And be it enacted, That the word "property," shall, throughout this Act, be deemed to denote every thing included under the words "chattel, money, or valuable security," used in the said Act, intituled "An Act for the better administration of Criminal Justice."

Clause IX.
Construction of the word "property."

No. CXVI.

An Act to amend the Laws relating to Offences against the Person. [December 12, 1843.]—Left to its operation by order in Council, dated 17th April, 1844.

7 William IV., and
1 Victoria, c. 85.

WHEREAS, it is expedient to amend so much of an Act passed by the Legislature of Grenada, in the year One Thousand Eight Hundred and Thirty one, intituled, "An Act to repeal an Act intituled, an Act to assimilate the Criminal Code of the Island of Grenada and its Dependencies, as near as may be to the Criminal Code of England, relative to offences against the person, and to substitute this Act in lieu thereof," as relates to any person who shall unlawfully and maliciously administer, or attempt to administer to any person, or who shall cause to be taken by any person, any poison, or other destructive thing, or who shall unlawfully and maliciously attempt to drown, suffocate, or strangle any person, or who shall counsel, aid, or abet therein, and so much of the same Act as relates to any person, who shall unlawfully and maliciously, shoot at any person, or who shall, by drawing a trigger, or in any other manner, attempt to discharge any kind of loaded arms at any person, or who shall unlawfully, and maliciously, stab, cut, or wound any person, with any of the intents, in the same Act mentioned, or who shall counsel, aid, or abet therein, and so much of the same Act, as relates to any person, who shall use any of the ways or means therein mentioned, with intent to procure the miscarriage of any woman, or who shall counsel, aid, or abet therein, and so much of the same Act, as relates to the punishment of accessaries, after the fact to such of the felonies, punishable under the same Act, as are herebefore referred to; Be it therefore enacted, by the Governor, the Council, and As-

Preamble.

No. 72.

Clause I.
Repeal of certain
provisions of recit-
ed Act.

sembly, of the Island of Grenada and its Dependencies, and it is hereby enacted, by the authority of the same, That so much of the said Act, as is hereinbefore referred to, shall continue in force, until and throughout the day of the passing of this Act, and shall, from and after that day, be repealed, except as to offences committed before or upon that day, which shall be dealt with and punished, as if this Act had not been passed.

Clause II.
Punishment for ad-
ministering poison,
wounding, &c., with
intent to commit
Murder.

And be it enacted, That whosoever shall administer to, or cause to be taken by any person, any poison, or other destructive thing, or shall stab, cut, or wound any person, or shall by any means whatsoever, cause to any person any bodily injury, dangerous to life, with intent in any of the cases aforesaid, to commit Murder, shall be guilty of felony, and being convicted thereof shall suffer death.

Clause III.
Punishment for of-
fences with intent
to commit Murder,
though no bodily
injury effected.

And be it enacted, That whosoever shall attempt to administer to any person, any poison, or other destructive thing, or shall shoot at any person, or shall, by drawing a trigger, or in any other manner, attempt to discharge any kind of loaded arms at any person, or shall attempt to drown, suffocate, or strangle any person, with intent, in any of the cases aforesaid, to commit the crime of Murder, shall, although no bodily injury shall be effected, be guilty of felony, and being convicted thereof, shall be liable, at the discretion of the Court, to be transported beyond the Seas for the term of his or her natural life, or for any term not less than fifteen years, or to be imprisoned for any term not exceeding three years.

Clause IV.
Punishment for cut-
ting and maiming,
wounding, &c., with
intent to dis-
figure.

And be it enacted, That whosoever, unlawfully and maliciously, shall shoot at any person, or shall, by drawing a trigger, or in any other manner, attempt to discharge any kind of loaded arms at any person, or shall stab, cut, or wound any person, with intent in any of the cases aforesaid, to maim, disfigure, or disable such person, or to do some other grievous bodily harm to such person, or with intent to resist or prevent the lawful apprehension or detainer of any person, shall be guilty of felony, and being convicted thereof, shall be liable, at the discretion of the Court, to be transported beyond the Seas, for the term of his or her natural life, or for any term not less than fifteen years, or to be imprisoned for any term not exceeding three years.

Clause V.
Punishment for
sending explosive
substances, or
throwing destruc-
tive matter with in-
tent to do bodily
harm.

And be it enacted, That whosoever shall unlawfully and maliciously send, or deliver to, or cause to be taken or received, by any person, any explosive substance, or any other dangerous or noxious thing, or shall cast, or throw upon, or otherwise apply to any person any corrosive fluid, or other destructive matter, with intent in any of the cases aforesaid, to burn, maim, disfigure, or disable any person, or to do some other grievous bodily harm to any person, and whereby in any of the cases aforesaid, any person shall be burnt, maimed, disfigured, or disabled, or receive some other grievous bodily harm, shall be guilty of felony, and being convicted thereof, shall be liable, at the discretion of the Court, to be transported beyond the Seas, for the term of his or her natural life, or for any term not less than fifteen years, or to be imprisoned for any term not exceeding three years.

Clause VI.
Punishment for try-
ing to procure abor-
tion.

And be it enacted, That whosoever with intent to procure the miscarriage of any woman, shall unlawfully administer to her, or cause to be taken by her, any poison, or other noxious thing, or shall unlawfully use any instrument, or other means whatsoever, with the like intent, shall be guilty of felony, and being convicted thereof, shall be liable, at the discretion of the Court, to be transported beyond the Seas, for the term of his or her natural life, or for any term not less than fifteen years, or to be imprisoned for any term not exceeding three years.

Clause VII.
Punishment for Ac-
cessaries.

And be it enacted, That in the case of every felony punishable under this Act, every principal in the second degree, and every accessory before the fact, shall be punishable with death, or otherwise, in the same manner as the principal in the first degree, is by this Act punishable, and every accessory after the fact to any felony, punishable under this Act, shall, on conviction, be liable to be imprisoned, for any term not exceeding two years.

And be it enacted, That where any person shall be convicted of any offence punishable under this Act, for which imprisonment may be awarded, it shall be lawful for the Court to sentence the offender to be imprisoned, or to be imprisoned and kept to hard labor in the Common Gaol, or House of Correction, and also to direct that the offender shall be kept in solitary confinement, for any portion or portions of such imprisonment, or of such imprisonment with hard labor, not exceeding one month, at any one time, and not exceeding three months in any one year, as to the Court, in its discretion, shall seem meet.

Clause VIII.
Offences punishable by imprisonment.

And be it enacted, That nothing in this Act contained, shall be construed to affect any of the powers, provisions, or regulations contained in an Act passed in the Session of Parliament, holden in the first and second years of the Reign of Her Majesty Queen Victoria, intituled, "An Act for the better government of Prisons in the West Indies."

Clause IX.
Not to affect "Act for the better government of prisons in the West Indies."

And be it enacted, That the third and fourth clauses, of an Act passed by the Legislature of Grenada, in the year One Thousand Eight Hundred and Thirty-four, intituled, "An Act to amend an Act intituled, An Act to repeal an Act intituled, An Act to assimilate the Criminal Code of the Island of Grenada and its Dependencies, as near as may be to the Criminal Code of England, relative to offences against the person, and to substitute this Act in lieu thereof," shall be and the same are hereby repealed.

Clause X.
3rd and 4th Clauses of Act No. 80 repealed.

And be it enacted, That on the trial of any person for any of the offences hereinbefore mentioned, or for any felony whatever, where the crime charged shall include an assault against the person, it shall be lawful for the Jury to acquit of the felony and to find a verdict of guilty of assault against the person indicted, if the evidence shall warrant such finding, and when such verdict shall be found, the Court shall have power to imprison the person so found guilty of an assault, for any term not exceeding three years.

Clause XI.
Jury may acquit of Felony, and bring in verdict of Guilty of assault.

Punishment in such case.

No. CXVII.

An Act to amend the Law relating to Jurors and Juries. (12th December, 1843.)—Left to its operation by Order in Council, dated 23rd May, 1844.

WHEREAS, by an Act passed in the year One Thousand Eight Hundred and Thirty-four, intituled, "An Act for consolidating and amending the Laws relating to Jurors and Juries," it was amongst other things enacted, that every man, except as thereafter excepted, between the ages of twenty-one years, and sixty years, residing in the Island of Grenada, being in the possession of lands or tenements, in his own right, or in right of another, or in trust for him or for another, or as agent for any person or persons absent from these Islands, being worth the sum of two hundred pounds then current money of the said Island, or as principal manager of any Estate or Plantation, or in possession or receipt of rents issuing out of such lands or tenements, or in such lands, tenements, and rents taken together, to the value of twenty pounds then currency, by the year, in fee simple, fee tail, or for the life of himself or some other person, or lands, or tenements held by Lease or Leases, for the absolute term of seven years, or for any term of years determinable on any life or lives, to the value of twenty pounds by the year, or being a householder, rated at the rent of twenty pounds by the year, or being Merchants or Traders, or principal Clerks of Merchants, or principal Mechanics, or Chief Overseers, being housekeepers residing on Estates or Plantations, should be qualified, and liable to serve on Grand Juries, and on Juries, for the trial of all issues joined in all cases both Civil and Criminal, in the Supreme Court of Judicature, and as Jurors upon Inquest of a Coroner, and whereas it is expedient to amend the said Act;

Preamble.
No. 81.

Clause I.
Qualification of persons as to age, property and occupation, made liable to serve on all Juries in Civil and Criminal cases, and upon Coroner's Inquests.

Not to serve both on Coroner's Inquest, and Grand or Petty Jury in the same case.

Clause II.
Coroner may summon and swear a sufficient number of any intelligent men to serve as Jurors, and in what case.

Clause III.
Persons exempted from serving upon Juries and Inquests.

Clause IV.
Persons disqualified by 3rd Clause of Act No. 81, to serve on Juries and Inquests, not qualified under this Act.
Clause V.
When a greater number than 70 persons be returned, liable to serve as Grand Jurors, in any one year, the Court to reduce the list to that number, by striking out the names of any so returned, and inserting them in the list of Petty Jurors.

Be it therefore enacted by the Governor, the Council and Assembly of the Island of Grenada and its Dependencies, and it is hereby enacted by authority of the same, that every man, except as in the said recited Act, and in this Act excepted, between the ages of twenty-one years, and sixty years, residing in the said Island of Grenada, who shall have in his own name, or in trust for him within this Colony, ten pounds for the year, above reprises, in freehold or leasehold lands or tenements, or in rents issuing out of any such lands or tenements, or in such lands tenements, and rents, taken together, or who, as the Attorney or Agent for any absent person, shall be in the possession or receipt of any such lands, tenements, or rents, or any such lands, tenements, and rents of the value aforesaid, or who shall be the principal Manager, or principal Mechanic, or Chief Overseer, on any such lands or tenements, of the value aforesaid, or who shall be a householder, occupying a house and tenements of the value of ten pounds by the year, or who shall be a Merchant, or Banker, or principal Clerk to a Merchant or Banker, or principal manager of any Chartered Bank, shall be qualified and liable to serve on Grand Juries, and on Juries for the trial of issues joined in all cases both Civil and Criminal, in the Supreme Court of Judicature, and in all other Courts of Record, Oyer and Terminer, and Gaol delivery in Grenada, and as Jurors upon Inquest of a Coroner. Provided always that no person who shall have served as a Juror on a Coroner's Inquest, shall serve on the Grand or Petty Jury in the same case. Provided also that persons of the best note shall be selected and be returned by the Magistrates of the respective Parishes, to serve on Grand Juries.

And be it enacted, That when a sufficient Jury of men, qualified according to this Act, cannot be conveniently assembled or sworn on a Coroner's Inquest, it shall be lawful for the Coroner to summon, and swear a sufficient number of other intelligent men, inhabitants of this Colony, to serve on such Jury.

And be it enacted, That all Schoolmasters, Apothecaries, Clerks to practising Barristers, Clerks of the Colonial Secretary and Register of Deeds, Clerks of the Public Treasurer and Provost Marshal, Clerks of the Markets, Agents, Superintendents, and Clerks of the Royal Mail Steam Navigation Company, all Accountants and Cashiers of any Chartered Bank, and all persons exempt from serving upon Juries in any Courts or upon any Inquest by virtue of any Charter, Grant, or Writ, shall be and continue, and are hereby freed and exempted, from serving upon any Jury or Inquest whatsoever.

And be it enacted, That no person declared to be disqualified by the third Clause of the said recited Act, from serving on Juries or Inquests, shall be qualified to serve on any Jury or Inquest under this Act, except only in the case thereafter provided.

And whereas, it is by the said recited Act, amongst other things provided, that the Justices of the Peace in every Parish, shall, after receipt of such Precept as therein mentioned, prepare and make out in alphabetical order, two true lists of every man residing within their respective Parishes, who shall be qualified, and liable to serve on Grand and Petty Juries, selecting in the List for Grand Jurors persons of the best note, and for Petty Jurors, persons of intelligence and respectable character; and that when a Precept shall be issued for summoning a Grand Jury, at any sitting of the Supreme Court of Judicature, thirty persons of the best note shall be summoned to serve as Grand Jurors at such Court. And whereas, in order to prevent too many persons being selected and returned by the said Justices, to serve as Grand Jurors, and to limit the number of such Grand Jurors: Be it enacted, That the Secretary and Clerk of the Crown, shall produce every Jury List, which shall be transmitted to him by the said Justices, in open Court; at some adjourned sitting of the said Supreme Court, to be holden in the month of January next after the receipt, by such

Secretary and Clerk of the Crown, of such Jury Lists, and if a greater number than seventy persons altogether shall appear in and by such Lists to have been returned to serve as Grand Jurors, in any one year, the number of Grand Jurors shall be reduced by the said Court to seventy persons; for which purpose it shall be lawful for the said Court to cause the names of any of the persons returned as Grand Jurors to be struck out of any such List or Lists of Grand Jurors, and to be inserted in any such List or Lists of Petty Jurors, so as to reduce the number of Grand Jurors to seventy persons, and every such List shall be thereupon amended in such particular, by such Secretary and Clerk of the Crown. Provided always that the name of any person who shall have served as a Grand Juror, shall not be struck off from such List.

Proviso.
No person having served as a Grand Juror, to be struck off from such List.

And be it enacted, That the name of each man, in every such amended List of Jurors, with the place of his abode and addition, shall be written on a distinct piece of Card, such pieces of Card, being all as nearly as may be of equal size, and shall, by the said Secretary and Clerk of the Crown, be put together in a box, to be provided for that purpose, and he shall, in open Court, draw out the said Cards, one after another, and the name of every such Juror, shall be truly and fairly copied or entered by the said Secretary and Clerk of the Crown, in the order in which they shall be so drawn, and not as heretofore in alphabetical order, in the book directed by the said recited Act, to be by him provided for that purpose.

Clause VI.
Name of each Juror &c., to be written on a piece of Card by the Secretary and Clerk of the Crown, and put into a Box together, and by him drawn out separately in open Court, and entered in the order so drawn, in the Book kept for that purpose.

And whereas, by the eighth Clause of the said recited Act, the Justices in each Parish are required on the first three Saturdays in November, to fix true Copies of the Jury Lists, upon the principal door of the Court-house, within their respective Parishes, but in the form of Schedule and Precept for returning Lists of Jurors, annexed to the said Act, the said Justices are required to perform the said duty, on the first three Saturdays in December: Be it enacted, That the said duty shall be performed by the said Justices, in the Month of November, in each year, and that the direction in the said Precept and the form thereof, shall be made by the said Secretary and Clerk of the Crown to conform to the said recited enactment and this Act.

Clause VII.
Justices to fix true Copies of Jury Lists upon the door of the Court-House in their respective parishes, in the month of November in each year. Direction and form of precept to conform to this Act.

And whereas, by the twenty-fifth Clause of the said recited Act, it is enacted, That when a Special Jury shall be ordered to be struck, the Secretary and Clerk of the Crown shall draw the names of thirty persons for Special Jurors, as therein mentioned: Be it enacted, That the number of Special Jurors to be drawn under the said Clause, by the said Secretary and Clerk of the Crown, shall be forty-eight and not thirty as therein mentioned.

Clause VIII.
Names of 48, instead of 30 persons to be drawn by Clerk of the Crown, for a Special Jury.

And whereas, it is provided by the said recited Act, that the person or party who shall apply for a Special Jury, shall pay the fees for striking such Jury, and all the expences occasioned by the trial of the cause by the same, and shall not have any further or other allowance for the same, upon taxation of costs, than such person or party would be entitled unto in case the cause had been tried by a common Jury, unless the Judge before whom the cause is tried, shall, immediately after the verdict, certify under his hand, upon the back of the Record, that the same was a cause proper to be tried by a Special Jury; And whereas, the said provision does not apply to cases in which the Plaintiff has been nonsuited, and it is expedient that the Judge should have such power of certifying, as well when a Plaintiff is nonsuited, as when he has a verdict against him: Be it therefore enacted, That the said provision of the said recited Act, and every thing therein contained, shall apply to cases in which the Plaintiff shall be nonsuited, as well as to cases in which a verdict shall pass against him.

Clause IX.
Provision of Act No. 81, in respect to a party applying for a Special Jury and paying fees for striking the same and expences of trial, not having any further allowance for the same upon taxation of costs, than if the case had been tried by a common Jury, except as is therein excepted—to apply to cases where the plaintiff is non-suited as well as to where he has a verdict against him.

And be it enacted, That it shall be lawful for the said Supreme Court of Judicature, to strike out of any List of Jurors, or Jury Book, the name or names of any person or persons who shall be considered by such Court

Clause X.
Lawful for Court to strike out of Jury List or book, the names of persons

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considered unfit to serve as Jurors. unfit to serve as a Juror or Jurors, by reason of any bodily infirmity or want of intelligence or education.

Clause XI. And be it enacted, That this Act shall be taken to be a part of the said This Act to be deemed part of Act recited Act, and construed therewith as one Act.

81.

No. CXVIII.

Vide Act, No. 182. An Act for taking an Account of the Population of Grenada and its Dependencies.* 13th May, 1844.)—Left to its operation by Order in Council, dated 28th November, 1844.

[* * * Population on 3rd June, 1844—29,923.]

No. CXIX.

An Act to amend the Law as to the Distribution of the Pews in the Parish Church of Saint George. (15th October, 1844.)—Left to its operation by Order in Council, dated 3rd February, 1845.

Preamble.

Act, dated 18th August, 1826.

Act, dated 26th July, 1832.

Clause I.
Occupants of Pews to pay to the Treasurer, on 1st September, annually, eleven pence per superficial square foot of Pew.

In default of payment within ninety days after 1st September, annually, the occupant is to forfeit all right, &c., to the Pew, which is to be re-allotted by Minister and Vestry.

Clause II.
Persons to whom any Pew shall hereafter be allotted to pay to Treasurer, a sum therefor not exceeding £10, in addition to annual rent.

WHEREAS, an Act was passed by the Legislature of Grenada, in the year One Thousand Eight Hundred and Twenty-six, intituled, “ An Act to provide for the distribution of the Pews in the Church lately erected in the Town of Saint George,” whereby the Rector and Vestry of the Town and Parish of Saint George were empowered to allot the Pews in the said Church, to persons resident within the said Parish, on condition of their paying the value of the materials and the cost of erection thereof, and an annual tax or assessment for each superficial square foot of ground occupied by such Pew; And whereas, an Act was passed by the Legislature of Grenada, in the year One Thousand Eight Hundred and Thirty-two, intituled, “ An Act to alter and amend an Act, intituled an Act to provide for the distribution of the Pews in the Church lately erected in the Town of Saint George,” whereby the occupants of Pews are authorized to dispose of the same; And whereas, it is expedient to amend the Law as to the allotment of Pews in the said Church: Be it therefore enacted, by the Governor, the Council and Assembly of the Island of Grenada and its Dependencies, and it is hereby enacted by the authority of the same, that there shall be paid to the Public Treasurer of this Colony, on the first day of September, in every year, by the holder, owner, or occupier, or holders, owners or occupiers, to whom any Pew in the said Church shall have been, or shall be, on his, her or their application, allotted by, or assigned with the consent of, the Rector, or Officiating Minister and Vestry of the said Town and Parish, a rent or assessment of eleven pence for each superficial square foot of ground occupied by such Pew, and in default of payment of such rent, or assessment, by any such person or persons, his, her or their executors or administrators, within ninety days next after the said first day of September, in any year, he, she or they shall forfeit all right and interest in such Pew, and the same may then be re-allotted to some person or persons by the Rector, or Officiating Minister, and Vestry aforesaid.

And be it enacted, That there shall be paid to the Public Treasurer, aforesaid, by the person or persons to whom any Pew in the said Church shall hereafter be allotted by the Rector, or Officiating Minister, and Vestry aforesaid, a sum to be from time to time fixed by such Rector, or Officiating Minister and Vestry, not exceeding the sum of ten pounds, in addition to the said annual rent or assessment, such additional payment to

be made within ten days next after such allotment, which shall otherwise be void.

And be it enacted, That the said monies, respectively, shall be at the disposal of the Rector, or Officiating Minister, and Vestry, of the Town and Parish, aforesaid, for Church purposes.

And whereas, the Poor of the Town and Parish of Saint George are provided with free sittings in the Aisles and Organ Gallery of the said Church: be it enacted, that nothing herein contained shall deprive, or be construed to deprive, the poor of any free sittings now or hereafter to be provided for them in the said Church.

And be it enacted, That no tax, assessment or payment, shall be levied, paid or made for, or in respect of, any Pews, seats or sittings set apart, or to be set apart, in the said Church, for the use of the Governor, the Council and Assembly of Grenada, the Rector, and poor aforesaid, and strangers, or transient persons.

And be it enacted, That the Rector or Officiating Minister, aforesaid, shall, on or before the first day of August, in every year, deliver to the Public Treasurer, a list of the names of the Pew holders in the said Church, with the amount of the rent or assessment payable in respect of every such Pew; and such Treasurer shall, in the month of August, in every year, advertize such list in the Gazette, or other public newspapers of this Colony, and shall, in the first week of October, in every year, advertize, in such Gazette, or other newspapers, a list of the defaulter or defaulters, who has or have neglected, omitted or refused to pay the said rent or assessment; and the said Treasurer shall, at the expiration of ninety days next after the day hereby appointed for payment of the said rent or assessment, certify to the Rector, or Officiating Minister, and Vestry, aforesaid, the names of any defaulter or defaulters whose Pew or Pews hath or have become forfeited.

And be it enacted, That it shall be lawful for the owner, holder or occupant, or holders, owners or occupants, to whom any Pew or Pews has or have been or shall be allotted or assigned in the said Church, his, her or their executors or administrators, with the consent of the Rector, or Officiating Minister, and Vestry, to transfer and dispose of such Pew or Pews to any other person or persons: Provided always, that there shall be no severance of the rent or assessment payable in respect of any Pew.

And be it enacted, That the said recited Acts, and the eleventh, twelfth, thirteenth, fourteenth, fifteenth and sixteenth clauses of an Act, passed by the Legislature of Grenada, in the year One Thousand Eight Hundred and Seven, intituled, "An Act to repeal an Act for providing a support for the Clergy of these Islands, an Act to supply the defects of former Parish Registers, to compel the due and orderly keeping thereof in future; to prevent the celebration of marriage, otherwise than as is therein directed, and to prescribe how persons professing the Roman Catholic Religion may have their baptisms, marriages and burials duly entered in the Parish Registers of the Established Church, and an Act to amend so much of an Act, intituled, An Act for providing a support for the Clergy of these Islands, as relates to the Town and Parish of Saint George, and to provide a support for the Clergy of this Government, and other purposes," shall be, and the same are hereby severally repealed, except so far as the said recited Acts and Clauses, or any or either them, may repeal any, or any part of any, other Acts or Act.

Clause III.
Said monies to be disposed of for Church purposes, by Minister and Vestry.

Clause IV.
Nothing in this Act contained to deprive the Poor of free sittings, now, or to be, allotted to them.

Clause V.
Certain Pews and sittings to be exempt from taxes, &c.

Clause VI.
Minister, on or before 1st August, annually, to deliver to Treasurer, a list of Pew-holders, with amount of rent payable in respect of Pews.
Treasurer, in August, to advertize such list in newspapers.
And shall, first week in October, advertize list of defaulters.

And shall, at expiration of 90 days after day appointed for payment of rent, certify to Minister and Vestry, names of defaulters.

Clause VII.
Pew-holders may, with consent of Minister and Vestry, dispose of their Pews to other persons.

Provided there be no severance of rent of Pew.

Clause VIII.
Said recited Acts, and the 11th to 16th clauses, both inclusive, of Act (No. 37) dated 11th December, 1807, repealed.

No. CXX.

7 William IV, and 1 Victoria, c. 87. An Act to amend the Laws relating to Robbery and Stealing from the Person. (12th November, 1844.)—Left to its operation by Order in Council, dated 26th April, 1845.

- Preamble.** WHEREAS, it is expedient to amend so much of an Act, passed by the Legislature of Grenada, in the year One Thousand Eight Hundred and Thirty-four, intituled, "An Act for the better administration of Criminal Justice," as relates to any person who shall rob any other person of any chattel, money or valuable security, or who shall steal any such property from the person of another, or shall assault any other person, with intent to rob him, or shall, by menaces, or by force, demand any such property of any other person, with intent to steal the same; and so much of the same Act as relates to any person who shall accuse, or threaten to accuse, any other person of any infamous crime, with a view or intent to extort or gain from him, and who shall, by intimidating him, by such accusation or threat, extort or gain from him any chattel, money or valuable security; and so much of the same Act as relates to any person who shall plunder or steal any part of any Ship or Vessel, which shall be in distress, or wrecked, stranded, or cast on shore, or any goods, merchandize or articles of any kind, belonging to such Ship or Vessel; and so much of the same Act as relates to the punishment of principals in the second degree, and of accessories before and after the fact, respectively, to such of the felonies punishable under the same Act, as are hereinbefore referred to :
- Act of 2nd August, 1834, (No. 79.)**
Clause 26.
- Clause 27.**
- Clause 38.**
- Clause 66, so far as relates to punishment of principals in second degree, and of accessories before and after the fact to the felonies in the recited Clauses.**
- Clause I.** Be it therefore enacted, by the Governor, the Council and Assembly of the Island of Grenada and its Dependencies, and it is hereby enacted by the authority of the same, that so much of the said Act as is hereinbefore referred to, shall continue in force, until, and throughout the day of the passing of this Act, and shall, from and after that day, be repealed, except as to offences committed before or upon that day, which shall be dealt with and punished as if this Act had not been passed.
- Clause II.** And be it enacted, That whosoever shall rob any person, and at the time of, or immediately before, or immediately after such robbery, shall stab, cut, or wound any person, shall be guilty of felony, and being convicted thereof, shall suffer death.
- Clause III.** And be it enacted, That whosoever shall, being armed with any offensive weapon or instrument, rob or assault, with intent to rob any person, or shall together with one or more person or persons, rob, or assault, with intent to rob any person, or shall rob any person, and at the time of, or immediately before, or immediately after such robbery, shall beat, strike, or use any other personal violence to any person, shall be guilty of felony, and being convicted thereof, shall be liable, at the discretion of the Court, to be transported beyond the seas for the term of his or her natural life, or for any term not less than fifteen years, or to be imprisoned for any term not exceeding three years.
- Clause IV.** And be it enacted, That whosoever shall accuse, or threaten to accuse any person of the abominable crime of Buggery, committed either with mankind, or with beast, or of any assault, with intent to commit the said abominable crime, or of any attempt or endeavour to commit the said abominable crime, or of making or offering any solicitation, persuasion, promise or threat, to any person, whereby to move or induce such person to commit, or permit the said abominable crime, with a view or intent in any of the cases aforesaid, to extort or gain from such person, and shall, by intimidating such person, by such accusation or threat, extort or gain from such person any property, shall be guilty of felony, and being convicted thereof, shall be liable, at the discretion of the Court, to be transported

beyond the seas for the term of his or her natural life, or for any term not less than fifteen years, or to be imprisoned for any term not exceeding three years.

And be it enacted, That whosoever shall rob any person, or shall steal any property from the person of another, shall be liable, at the discretion of the Court, to be transported beyond the seas for any term not exceeding fifteen years, nor less than ten years, or to be imprisoned for any term not exceeding three years.

Clause V.
Punishment for robbing from the person of another.

And be it enacted, That whosoever shall assault any person, with intent to rob, shall be guilty of felony, and being convicted thereof, shall (save and except in the cases where a greater punishment is provided by this Act), be liable to be imprisoned for any term not exceeding three years.

Clause VI.
Punishment for assault with intent to rob.

And be it enacted, That whosoever shall, with menaces, or by force, demand any property of any person, with intent to steal the same, shall be guilty of felony, and being convicted thereof, shall be liable to be imprisoned for any term not exceeding three years.

Clause VII.
Punishment for demanding, with menaces, or forcibly, any property, with intent to steal it.

And be it enacted, That whosoever shall plunder or steal any part of any Ship or Vessel, which shall be in distress, or wrecked, stranded or cast on shore, or any goods, merchandize or articles, of any kind, belonging to such Ship or Vessel, and be convicted thereof, shall be liable, at the discretion of the Court, to be transported beyond the seas for any term not exceeding fifteen years, nor less than ten years, or to be imprisoned for any term not exceeding three years.

Clause VIII.
Punishment for plundering or stealing any goods, &c., from any vessel in distress.

And be it enacted, That in the case of every felony, punishable under this Act, every principal in the second degree, and every accessary before the fact, shall be punishable with death, or otherwise in the same manner as the principal in the first degree is by this Act punishable, and every accessary after the fact to any felony punishable under this Act (except only a receiver of stolen property), shall, on conviction, be liable to be imprisoned for any term not exceeding two years.

Clause IX.
In cases of Felony punishable under this Act, principals in the second degree, and accessaries before and after the fact, how to be punished.

And be it enacted, That where any person shall be convicted of any offence, punishable under this Act, for which imprisonment may be awarded, it shall be lawful for the Court to sentence the offender to be imprisoned, or to be imprisoned and kept to hard labor in the Common Gaol, or House of Correction, and also to direct that the offender shall be kept in solitary confinement, for any portion or portions of such imprisonment, or of such imprisonment with hard labor, not exceeding one month, at any one time, and not exceeding three months, in any one year, as to the Court in its discretion shall seem meet.

Clause X.
Any Person convicted of an offence punishable by this Act with imprisonment, how to be dealt with by the Court.

And be it enacted, That nothing in this Act contained shall be construed to affect any of the powers, provisions or regulations, contained in an Act, passed in the Session of Parliament, holden in the first and second years of the Reign of Her Majesty Queen Victoria, intituled "An Act for the better Government of Prisons in the West Indies."

Clause XI.
Nothing herein contained to affect the Statute 1 & 2 Vict., for the better government of Prisons in the West Indies.

And be it enacted, That the word "property" shall, throughout this Act, be deemed to denote every thing included under the words "chattel, money or valuable security," used in the said Act, intituled, "An Act for the better Administration of Criminal Justice."

Clause XII.
Meaning of words in this Act.

No. CXXI.

An Act for the more speedy trial of offences committed on the High Seas, within the Jurisdiction of the Admiralty of England, and within three miles of the land of Grenada. [November 12, 1844.]—Left to its operation by Order in Council, dated 26th April, 1845.

WHEREAS, by an Act of the Legislature of Grenada, passed in the year one thousand eight hundred, intituled, "An Act for establishing a Supreme

Preamble.

Court of Judicature, and uniting therein the Jurisdictions of the several Courts of King's Bench and Grand Sessions of the Peace and Common Pleas heretofore established in this Island," it is amongst other things enacted, that the Supreme Court of Judicature, thereby established, should be a Court of Record, and should have, use, exercise and enjoy within the precincts of the Island of Grenada, and such of the Grenadines as are annexed to, and included in, the Government thereof, all jurisdictions, powers and authorities whatsoever, in all matters, criminal and civil, relating to the Crown or subject, as fully and amply, to all intents, constructions and purposes, whatsoever, as the Courts of King's Bench, Common Pleas and Exchequer, within the Kingdom of England had, and ought to have; and that the said Court shall be held on the first Tuesday of the months of February, April, June, August, October, and December, in every year, and that the proceedings and practice of the said Court should be regulated and governed in all cases, criminal and civil, as nearly conformable, as local circumstances will admit, to the practice and proceedings of the Courts of King's Bench, Common Pleas and Exchequer in England: And whereas it is expedient that persons charged with offences committed on the high seas, and within the jurisdiction of the Admiralty of England, and within three miles of the land of this Colony, should speedily be brought to trial; Be it, therefore, enacted by the Governor, the Council and Assembly of the Island of Grenada and its Dependencies, and it is hereby enacted by the authority of the same, that it shall and may be lawful for the said Supreme Court of Judicature to inquire of, hear and determine any offence or offences committed, or alleged to have been committed on the high seas, within the jurisdiction of the Admiralty of England, but at no greater distance than three miles from the land of this Island, or any of its Dependencies, and to deliver the gaol of any person or persons committed to, or detained therein, for any offence or offences alleged to have been done or committed upon the high seas within the jurisdiction aforesaid, but at no greater distance than three miles from the land of this Island, or any of its Dependencies, and all indictments found, and all trials and other proceedings had and taken by or before the said Supreme Court, for any such offence, shall be valid and effectual to all intents and purposes, and shall be had according to the Laws and Statutes of England and of this Colony.

Clause I.
The Supreme Court of Judicature empowered to inquire of, hear, and determine, &c., all offences committed on the high seas, within three miles of Grenada or its Dependencies.

Clause II.
All offences committed on the high seas, and within three miles of Grenada or its Dependencies, punishable as if committed within the body of this Island.

Clause III.
Proviso.
Not to affect the Statutes, 46 George III, cap. 54—6, William IV, or Grenada Act, No. 91.

Clause IV.
Not to be in force until Her Majesty's assent be signified.

And be it enacted, That where any offence shall be committed within the jurisdiction of the Admiralty of England, and within three miles of the land of this Island, or any of its Dependencies, which by the Laws in force in this Colony would be punishable as a Felony or Misdemeanor, if committed within the body of this Island, the same may be dealt with, inquired of, tried, determined and adjudged, as any other Felony or Misdemeanor committed within the body of this Island.

Provided also, and be it enacted, That nothing in this Act contained shall affect, or be construed to affect, the provisions of the Act of Parliament, made and passed in the forty-sixth year of the Reign of his late Majesty, King George the Third, intituled, "An Act for the more speedy trial of offences committed in distant parts beyond the seas," nor any commission issued, or to be issued, under the same Act, nor the provisions of the Act of Parliament, made and passed in the sixth year of the Reign of his late Majesty, King William the Fourth, intituled, "An Act to make provision for the better administration of justice in certain of His Majesty's West India Colonies," nor the provisions of the Act of the Legislature of Grenada, passed in the year one thousand eight hundred and thirty-six, intituled, "An Act to give effect to the provisions of an Act of Parliament, of the United Kingdom of Great Britain and Ireland, passed to make provision for the better administration of Justice in certain of His Majesty's West India Colonies."

Provided also, and be it enacted, That this Act shall not come into force or operation until Her Majesty's pleasure shall be signified thereon.

No. CXXII.

An Act to enable the Commissioners for trying offences upon the Sea, and Justices of the Peace, to take examinations touching such offences, and to commit to safe custody Persons charged therewith. [November 12, 1844.]—Left to its operation by Order in Council, dated 26th April, 1845. 7 George IV, c. 38.

WHEREAS it is expedient that the Commissioners named in Commissions made under an Act of Parliament, passed in the forty-sixth year of the Reign of King George the Third, for the more speedy trial of offences in distant parts beyond the sea, and also the Justices of the Peace in the Colony of Grenada, should have the power, severally, as well as jointly, for taking examinations upon oath, touching offences within the Jurisdiction of the Admiralty of England, and of committing to safe custody Persons charged upon oath, with such offences: Be it, therefore, enacted, by the Governor, the Council and Assembly of the Island of Grenada and its Dependencies, and it is hereby enacted by the authority of the same, that it shall and may be lawful to and for any one or more of the Commissioners, for the time being, named or to be named in any Commission made or granted, under or by virtue of the said Act of the forty-sixth year of King George the Third, and also to and for any one or more of Her Majesty's Justices of the Peace, for the time being, in the Colony of Grenada, and they are hereby, respectively, authorized, empowered, and required, from time to time, to take any information or informations of any witness or witnesses upon oath, which oath they, and each of them are hereby, respectively, authorized to administer, touching any treason, piracy, felony, robbery, murder, conspiracy, or other offence, of what nature or kind soever, committed upon the sea, or in any haven, river, creek, or place, where the Admiral or Admirals hath or have power, authority, or jurisdiction, and thereupon (if such Commissioner or Commissioners, Justice or Justices of the Peace shall see cause), by any warrant or warrants, under his or their hand and seal, or hands and seals, to cause the person or persons charged in such information or informations to be apprehended and committed to safe custody; to remain in such custody until discharged, in due course of Law, or until bailed, in cases in which bail may, by Law, be taken.

Preamble.
Clause I.
Lawful for Commissioners under Statute 46, George III, cap. 54, and for Justices of the Peace of Grenada, to take informations touching offences committed on high seas.

No. CXXIII.

An Act to authorize the employment of certain prisoners within or without the walls of the Gaol. [November 28, 1844.]—Left to its operation by Order in Council, dated 26th April, 1845.

WHEREAS, by an Act of the Legislature of Grenada, passed in the year one thousand eight hundred and twenty-seven, intituled, "An Act to alter and reduce into one Act, two several Acts of the Legislature, for the establishment and regulation of a Tread Mill, in the Town of Saint George," it is declared for what offences, and in what cases, persons may become liable, and be sentenced to hard labour upon the Tread Mill; And whereas, certain offenders may, under divers other Acts of the Legislature of Grenada, be sentenced to hard labour; And whereas, it is expedient that Prisoners against whom sentence of death shall be recorded, and not pronounced by the Court, and Prisoners sentenced to transportation, or sentenced or liable to hard labour, should, in certain cases, be worked or employed, either

[Revised Act since repealed by Act No. 181, c. 10.]

Clause I.
Governor, by orders in Council, may direct Prisoners under sentence of death recorded, and not pronounced; Prisoners under sentence of transportation, or sentenced, or liable to imprisonment with hard labor, to be kept to hard labor on the Tread Mill, or on Roads, or other Public works, within or without the Gaol.
Provido.
Only males to be employed without the Gaol.

within or without the walls of the Gaol; Be it, therefore, enacted, by the Governor, the Council and Assembly of the Island of Grenada and its Dependencies, and it is hereby enacted by the authority of the same, That it shall be lawful for the Governor, by any Order or Orders, in Council, to direct that Prisoners under sentence of death recorded, and not pronounced by the Court, and Prisoners under sentence or order of transportation, or sentenced, or liable to imprisonment, with hard labour, shall be kept to hard labour upon the Tread Mill, or upon the Roads or Streets of this Colony, or upon any Public Works, or in the breaking of stones, or any other description of labour, either within or without the walls of the Gaol, as shall, from time to time, be named in any such order or orders; Provided always, that none but male convicted felons shall be liable to be employed at hard labour without the walls of the Gaol.

Clause II.
Governor to appoint superintendents over prisoners so employed without the Gaol.

And be it enacted, That it shall be lawful for the Governor, from time to time, to appoint one or more Superintendent or Overseer, or Superintendents or Overseers, who shall have charge and custody of such Prisoners when without the walls of the Gaol.

Clause III.
Provost Marshal to deliver to superintendents every male felon directed to be worked without the Gaol, and to receive back and confine him in Gaol.

And be it enacted, That the Provost Marshal shall, from time to time, deliver into the custody of such Superintendent or Overseer, at the Common Gaol, every male felon who shall be directed to be worked without the walls of the Gaol, by any order, in writing, signed by the Governor, and shall daily, or as often as any such felon shall be brought back to Gaol, by such Superintendent or Overseer, receive such felon, and again confine him in Gaol.

Clause IV.
Superintendent to keep such prisoners, at such work, &c., as Governor shall appoint.

And be it enacted, That every such Superintendent or Overseer, shall keep every Prisoner, who shall be delivered into his custody, at such work, and in such place, as the Governor shall, from time to time, direct.

Clause V.
Persons guilty of misbehaviour, how to be punished.

And be it enacted, That if any such Prisoner shall, during such custody, be guilty of any misbehaviour or disorderly conduct, it shall be lawful for such Superintendent or Overseer, having the custody of such Prisoner, to inflict, or cause to be inflicted on such offender, such moderate punishment or correction, as may, by law, be inflicted for like conduct in the Common Gaol; and if any such prisoner shall break, or unlawfully escape, from the custody of such Superintendent or Overseer, or if any person shall rescue, or attempt to rescue, or assist in rescuing any such Prisoner from such custody, it shall be lawful for any person to apprehend such offender, and to carry him or her before a Justice of the Peace, who is hereby authorized to hear and determine such offence, in a summary way, and, on conviction thereof, to sentence such offender to imprisonment in the Common Gaol, with or without hard labor, for any period not exceeding six calendar months; such imprisonment, in case of a Prisoner already under sentence of imprisonment, to commence on the expiration of his or her original sentence.

Persons rescuing prisoners how to be punished.

Clause VI.
Governor to direct Constables to aid Superintendents.

And be it enacted, That it shall be lawful for the Governor to direct the employment of a sufficient number of Constables or Deputies, to be employed under and in aid of any such Superintendent or Overseer.

Clause VII.
Governor to make rules for care, superintendence, hours of labor, and clothing of Prisoners, and for duties of Superintendents, &c.—Provido.
Her Majesty, in Council, may amend or annul any such rules.

And be it enacted, That it shall be lawful for the Governor, in Council, to make rules for the care, superintendence, hours of labor, work, dress, and clothing of the Prisoners, and for the duties of the Superintendents, Overseers, Constables, and persons having charge thereof, and also to amend or annul any such rules; and all such rules so made or amended, shall be binding on all persons within this Colony; Provided always, that it shall be lawful for Her Majesty in Council to amend or annul any such rule, although it may have been approved by the Governor, in Council.

Clause VIII.
Persons carrying, &c., or introducing into Gaol, &c., or to

And be it enacted, That if any person shall carry or bring, or attempt or endeavour, by throwing over the walls, or any other means to introduce into the Common Gaol, or shall deliver, or attempt to deliver, to any such

Prisoner, when employed without the walls, any spirits, or other articles, not allowed by the rules of such Gaol, or shall knowingly or wilfully disobey any rule or order, to be made by the Governor, in Council, relative to Prisoners employed without the walls, it shall be lawful for any person to apprehend such offender, and to carry him or her before a Justice of the Peace, who is hereby empowered to hear and determine such offence, in a summary way, and if he shall lawfully convict such person of such offence, he shall forthwith commit such offender to the Common Gaol, there to be kept, with or without hard labor, for any time not exceeding one calendar month, without bail or mainprize, unless such offender shall immediately pay down such sum of money, not exceeding five pounds, as such Justice shall impose, such money to be paid by such Justice into the Public Treasury, for the Public uses of the Colony.

And be it enacted, That the expenses of carrying this Act into execution shall, from time to time, be laid before the Council and Assembly, and such expenses as are not otherwise provided for, shall be defrayed out of the Public Treasury, in like manner as debts established against the Public.

vide for.—Vide Act,

Clause IX.
Expenses of carrying this Act into effect, to be laid before the Council and Assembly, and provided for.—Vide Act, No. 11, Clause 11.

And be it enacted, That in the construction of this Act, the word "Governor" shall mean every Person lawfully charged with the administration of the Government of this Colony.

And be it enacted, That nothing in this Act contained, shall affect, or be construed to affect, the Provisions of the Act passed in the Session of Parliament, holden in the first and second years of the Reign of Her Majesty, intituled, "An Act for the better Government of Prisons in the West Indies."

Clause X.
Meaning of the word "Governor."

Clause XI.
Not to affect Statute, 1 and 2 Vict., for better government of Prisons in West Indies.

No. CXXIV.

An Act for the limitation of Actions and Suits relating to Real Property, and for simplifying the remedies for trying the rights thereto [30th April, 1845.]—Left to its operation by Order in Council, dated 13th September, 1845.

Vide Act, No. 47.

Be it enacted, by the Governor, the Council and Assembly of the Island of Grenada and its Dependencies, and by the authority of the same, That the words and expressions hereinafter mentioned, which, in their ordinary signification, have a more confined or a different meaning, shall, in this Act, except where the nature of the provision or the context of the Act shall exclude such construction, be interpreted as follows (that is to say), the word "Land," shall extend to messuages and all other corporeal hereditaments whatsoever, and also to any share, estate or interest in them, or any of them, whether the same shall be a freehold or chattel interest, and whether freehold, or held according to any other tenure; and the word "Rent," shall extend to all services and suits for which a distress may be made, and to all annuities and periodical sums of money charged upon, or payable out of, any land; and the person, through whom another person is said to claim, shall mean any person by, through, or under, or by the act of, whom the person so claiming became entitled to the estate or interest claimed, as heir, issue, intail, tenant by the courtesy of England, tenant in dower, successor, special or general occupant, executor, administrator, legatee, husband, assignee, appointee, devisee, or otherwise; and the word "person," shall extend to a body politic, corporate, or collegiate, and to a class of creditors, or other persons, as well as an individual; and every word importing the singular number only, shall extend and be applied to several persons or things, as well as one person or thing, and every word importing the masculine gender only, shall extend and be applied to a female as well as a male.

Clause I.
Meaning of the words in this Act.

"Land."

"Rent."

Person through whom another claims.

"Person."

Number and Gender.

Clause II.

No land or rent to be recovered but within twenty years after the right of action accrued to the claimant, or some person whose estate he claims.

And be it enacted, That after the commencement of this Act, no person shall make an entry or distress, or bring an Action to recover any land or rent, but within twenty years next after the time at which the right to make such entry or distress, or to bring such Action, shall have first accrued to some person through whom he claims, or if such right shall not have accrued to any person through whom he claims, then within twenty years next after the time at which the right to make such entry or distress, or to bring such Action, shall have first accrued to the person making or bringing the same.

Clause III.

When the right shall be deemed to have accrued.

In the case of an estate in possession.

On dispossession.

On abatement or death ;

On alienation.

In case of future estates.

In case of forfeiture or breach of condition.

Clause IV.

Where advantage of forfeiture is not taken by remainderman, he shall have a new right when his estate comes in to possession.

And be it further enacted, That in the construction of this Act, the right to make an entry or distress, or bring an action, to recover any land or rent, shall be deemed to have first accrued at such time as hereinafter is mentioned, (that is to say,) when the person claiming such land or rent, or some person through whom he claims, shall, in respect of the estate or interest claimed, have been in possession or in receipt of the profits of such land, or in receipt of such rent, and shall, while entitled thereto, have been dispossessed or have discontinued such possession or receipt, then such right shall be deemed to have first accrued at the time of such dispossession or discontinuance of possession, or at the last time at which any such profits or rent were or was so received : and when the person claiming such land or rent shall claim the estate or interest of some deceased person who shall have continued in such possession or receipt in respect of the same estate or interest until the time of his death, and shall have been the last person entitled to such estate or interest, who shall have been in such possession or receipt, then such right shall be deemed to have first accrued at the time of such death ; and when the person claiming such land or rent, shall claim in respect of an estate or interest in possession, granted, appointed, or otherwise assured, by any instrument (other than a Will) to him, or some person through whom he claims, by a person being in respect of the same estate or interest in the possession or receipt of the profits of the land, or in the receipt of the rent, and no person entitled under such instrument shall have been in such possession or receipt, then such right shall be deemed to have first accrued at the time at which the person claiming, as aforesaid, or the person through whom he claims, became entitled to such possession or receipt by virtue of such instrument ; and when the estate or interest claimed, shall have been an estate or interest in reversion or remainder, or other future estate or interest, and no person shall have obtained the possession or receipt of the profits of such land, or the receipt of such rent, in respect of such estate or interest, then such right shall be deemed to have first accrued at the time at which such estate or interest became an estate or interest in possession, and when the person claiming such land or rent, or the person through whom he claims, shall have become entitled, by reason of any forfeiture or breach of condition, then such right shall be deemed to have first accrued when such forfeiture was incurred, or such condition was broken.

Provided always, That when any right to make an entry or distress, or to bring an Action, to recover any land or rent, by reason of any forfeiture or breach of condition, shall have first accrued in respect of any estate or interest in reversion or remainder, and the land or rent shall not have been recovered by virtue of such right, the right to make an entry or distress, or bring an action, to recover such land or rent, shall be deemed to have first accrued in respect of such estate or interest at the time when the same shall have become an estate or interest in possession, as if no such forfeiture or breach of condition had happened.

Clause V.

Reversioner to have a new right.

Provided also, That a right to make an entry or distress, or to bring an action, to recover any land or rent, shall be deemed to have first accrued, in respect of an estate or interest in reversion, at the time at which the same shall have become an estate or interest in possession, by the determination of any estate or estates, in respect of which such land shall have

been held, or the profits thereof or such rent shall have been received, notwithstanding the person claiming such land, or some person through whom he claims, shall at any time previously to the creation of the estate or estates, which shall have determined, have been in possession or receipt of the profits of such land, or in receipt of such rent.

And be it further enacted, That for the purposes of this Act, an administrator claiming the estate or interest of the deceased person, of whose chattels he shall be appointed administrator, shall be deemed to claim as if there had been no interval of time between the death of such deceased person, and the grant of the letters of administration.

Clause VI.
An administrator to claim as if he obtained the estate without interval after death of deceased.

And be it further enacted, That when any person shall be in possession, or in receipt, of the profits of any land, or in receipt of any rent, as tenant at will, the right of the person entitled, subject thereto, or of the person through whom he claims to make an entry or distress, or bring an action, to recover such land or rent, shall be deemed to have first accrued either at the determination of such tenancy, or at the expiration of one year next after the commencement of such tenancy, at which time such tenancy shall be deemed to have determined; Provided always, That no mortgagor, or cestui que trust, shall be deemed to be a tenant at will, within the meaning of this Clause, to his mortgagee or trustee.

Clause VII.
In the case of a tenant at will, the right shall be deemed to have accrued at the end of one year.

And be it further enacted, That when any person shall be in possession, or in receipt of the profits of any land, or in receipt of any rent, as tenant from year to year, or other period, without any lease in writing, the right of the person entitled, subject thereto, or of the person through whom he claims to make an entry or distress, or to bring an action to recover such land or rent, shall be deemed to have first accrued at the determination of the first of such years, or other periods, or at the last time when any rent payable in respect of such tenancy shall have been received, (which shall last happen.)

Clause VIII.
No person after a tenancy from year to year to have any right but from the end of the first year, or last payment of rent.

And be it further enacted, That when any person shall be in possession, or in receipt of the profits of any land, or in receipt of any rent by virtue of a lease, in writing, by which a rent amounting to the yearly sum of twenty shillings, or upwards, shall be reserved, and the rent reserved by such lease shall have been received by some person wrongfully claiming to be entitled to such land or rent in reversion, immediately expectant on the determination of such lease, and no payment in respect of the rent reserved by such lease shall afterwards have been made to the person rightfully entitled thereto, the right of the person entitled to such land or rent, subject to such lease, or of the person through whom he claims to make an entry or distress, or to bring an action, after the determination of such lease, shall be deemed to have first accrued at the time at which the rent reserved by such lease was first so received by the person wrongfully claiming, as aforesaid, and no such right shall be deemed to have first accrued upon the determination of such lease to the person rightfully entitled.

Clause IX.
Where rent amounting to 20s., reserved by a lease in writing shall have been wrongfully received, no right to accrue on the determination of the lease.

And be it further enacted, That no person shall be deemed to have been in possession of any land within the meaning of this Act, merely by reason of having made an entry thereon.

Clause X.
A mere entry not to be deemed possession.

And be it further enacted, That no continual or other claim upon, or near, any land, shall preserve any right of making an entry or distress, or of bringing an action.

Clause XI.
No right to be preserved by continual claim.

And be it further enacted, That when any one or more of several persons entitled to any land or rent, as coparceners, joint tenants, or tenants in common, shall have been in possession or receipt of the entirety, or more than his or their undivided share or shares of such land, or of the profits thereof, or of such rent for his or their own benefit, or for the benefit of any person or persons, other than the person or persons entitled to the other share or shares of the same land or rent, such possession or receipt, shall not be deemed to have been the possession or receipt of or by such last mentioned person or persons, or any of them.

Clause XII.
Possession of one coparcener, &c., not to be the possession of the others.

Clause XIII.

Possession of a younger brother not to be possession of the heir.

Clause XIV.

Acknowledgment in writing given to the person entitled, or his agent, equivalent to possession or receipt of rent.

Clause XV.

Where possession is not adverse at the time of passing the Act, the right shall not be barred, until the end of five years afterwards.

Clause XVI.

Persons under disability of infancy, lunacy, coverture, or beyond seas, and their representatives, to be allowed ten years, from the termination of their disability or death.

Clause XVII.

But no action, &c., shall be brought beyond forty years after the right of action accrued.

Clause XVIII.

No further time to be allowed for a succession of disabilities.

And be it further enacted, That when a younger brother, or other relation, of the person entitled, as heir to the possession or receipt of the profits of any land, or to the receipt of any rent, shall enter into the possession or receipt thereof, such possession or receipt shall not be deemed to be the possession or receipt of or by the person entitled as heir.

Provided always, and be it further enacted, That when any acknowledgment of the title of the person entitled to any land or rent shall have been given to him, or his agent, in writing, signed by the person in possession, or in receipt of the profits of such land, or in receipt of such rent, then such possession or receipt of or by the person by whom such acknowledgment shall have been given, shall be deemed, according to the meaning of this Act, to have been the possession or receipt of or by the person to whom or to whose agent such acknowledgment shall have been given at the time of giving the same, and the right of such last mentioned person, or any person claiming through him, to make an entry or distress, or bring an action, to recover such land or rent, shall be deemed to have first accrued at, and not before, the time at which such acknowledgment, or the last of such acknowledgments, if more than one, was given,

Provided also, and be it further enacted, That when no such acknowledgment, as aforesaid, shall have been given before the passing of this Act, and the possession or receipt of the profits of the land, or the receipt of the rent shall not, at the time of the passing of this Act, have been adverse to the right or title of the person claiming to be entitled thereto, then such person, or the person claiming through him, may, notwithstanding the period of twenty years hereinbefore limited shall have expired, make an entry or distress, or bring an action, to recover such land or interest, at any time within five years next after the passing of this Act.

Provided always, and be it further enacted, That if at the time at which the right of any person to make an entry or distress, or bring an action, to recover any land or rent, shall have first accrued, as aforesaid, such person shall have been under any of the disabilities hereinafter mentioned (that is to say) infancy, coverture, idiotcy, lunacy, unsoundness of mind, or absence beyond seas, then such person, or the person claiming through him, may, notwithstanding the period of twenty years hereinbefore limited shall have expired, make an entry or distress, or bring an action to recover such land, or rent, at any time within ten years next after the time at which the person to whom such right shall first have accrued, as aforesaid, shall have ceased to be under any such disability, or shall have died (which shall have first happened.)

Provided nevertheless, and be it further enacted, That no entry, distress or action, shall be made, or brought, by any person who, at the time at which his right to make an entry or distress, or to bring an action to recover any land or rent shall have first accrued, shall be under any of the disabilities hereinbefore mentioned, or by any person claiming through him, but within forty years next after the time at which such right shall have first accrued, although the person under disability at such time may have remained under one or more of such disabilities during the whole of such forty years, or although the term of ten years, from the time at which he shall have ceased to be under any such disability, or have died, shall not have expired.

Provided always, and be it further enacted, That when any person shall be under any of the disabilities hereinbefore mentioned, at the time at which his right to make an entry or distress, or to bring an action, to recover any land or rent, shall have first accrued, and shall depart this life without having ceased to be under any such disability, no time to make an entry or distress, or to bring an action to recover such land or rent, beyond the said period of twenty years, next after the right of such person to make an entry or distress, or to bring an action to recover such land or rent shall have first accrued, or the said period of ten years next after the time at

which such person shall have died, shall be allowed by reason of any disability of any other person.

And be it further enacted, That when the right of any person to make an entry or distress, or bring an action to recover any land or rent, to which he may have been entitled, for any estate or interest in possession shall have been barred by the determination of the period hereinbefore limited, which shall be applicable in such case, and such person shall, at any time during the said period, have been entitled to any other estate, interest, right or possibility in reversion, remainder or otherwise, in, or to the same land or rent, no entry, distress or action shall be made or brought by such person, or any person claiming through him, to recover such land or rent in respect of such other estate, interest, right or possibility, unless, in the meantime, such land or rent shall have been recovered by some person entitled to an estate, interest or right, which shall have been limited or taken effect after, or in defeazance of, such estate, or interest in possession.

Clause XIX.
When the right to an estate in possession is barred, the right of the same person to future estates shall also be barred.

And be it further enacted, That when the right of a tenant in tail of any land or rent to make an entry or distress, or to bring an action, to recover the same, shall have been barred, by reason of the same not having been made or brought within the period hereinbefore limited, which shall be applicable in such case, no such entry, distress or action shall be made or brought by any person claiming any estate, interest or right, which such tenant in tail might lawfully have barred.

Clause XX.
Where tenant in tail is barred, remaindermen whom he might have barred, shall not recover.

And be it further enacted, That when a tenant in tail of any land or rent, entitled to recover the same, shall have died before the expiration of the period hereinbefore limited, which shall be applicable in such case for making an entry or distress, or bringing an action to recover such land or rent no person claiming any estate, interest or right, which such tenant in tail might lawfully have barred, shall make an entry or distress, or bring an action to recover such land or rent, but within the period during which, if such tenant in tail had so long continued to live, he might have made such entry or distress, or brought such action.

Clause XXI.
Possession adverse to a tenant in tail shall run on against the remaindermen whom he might have barred.

And be it further enacted, That when a tenant in tail of any land or rent shall have made an assurance thereof, which shall not operate to bar an estate or estates to take effect after or in defeazance of his estate tail, and any person shall, by virtue of such assurance, at the time of the execution thereof, or at any time afterwards, be in possession or receipt of the profits of such land, or in the receipt of such rent, and the same person or any other person whatsoever (other than some person entitled to such possession or receipt in respect of an estate which shall have taken effect after, or in defeazance of, the estate tail) shall continue or be in such possession or receipt for the period of twenty years next after the commencement of the time at which such assurance, if it had then been executed by such tenant in tail, or the person who would have been entitled to his estate tail, if such assurance had not been executed, would, without the consent of any other person, have operated to bar such estate or estates, as aforesaid, then, at the expiration of such period of twenty years, such assurance shall be, and be deemed to have been, effectual as against any person claiming any estate, interest or right to take effect after, or in defeazance of, such estate tail.

Clause XXII.
Where there shall have been possession under an assurance, by a tenant in tail, which shall not bar the remaindermen, they shall be barred at the end of twenty years after the time when the assurance, if then executed, would have barred them.

And be it further enacted, That after the commencement of this Act, no person claiming any land or rent in equity shall bring any suit to recover the same, but within the period during which, by virtue of the provisions hereinbefore contained, he might have made an entry or distress, or brought an action to recover the same, respectively, if he had been entitled, at Law, to such estate, interest or right in or to the same, as he shall claim therein in equity.

Clause XXIII.
No suit in equity to be brought after the time when the plaintiff, if entitled at Law, might have brought an action.

Provided always, and be it further enacted, That when any land or rent shall be vested in a Trustee, upon any express trust, the right of the cestui qui trust, or any person claiming through him to bring a suit against

Clause XXIV.
In cases of express trust, the right shall not be deemed to

have accrued until conveyance to a purchaser.

the trustee, or any person claiming through him to recover such land or rent, shall be deemed to have first accrued according to the meaning of this Act, at and not before the time at which such land or rent shall have been conveyed to a purchaser for a valuable consideration, and shall then be deemed to have accrued only as against such purchaser, and any person claiming through him.

Clause XXV.
In cases of fraud, no time shall run whilst the fraud remains concealed.

And be it further enacted, That in every case of a concealed fraud, the right of any person to bring a suit in equity, for the recovery of any land or rent, of which he, or any person through whom he claims, may have been deprived by such fraud, shall be deemed to have first accrued at and not before the time at which such fraud shall, or with reasonable diligence might, have been first known, or discovered: Provided that nothing in this Clause contained shall enable any owner of lands or rents to have a suit in equity for the recovery of such lands or rents, or for setting aside any conveyance of such lands or rents on account of fraud against any bona fide purchaser for valuable consideration who has not assisted in the commission of such fraud, and who, at the time that he made the purchase, did not know, and had no reason to believe, that any such fraud had been committed.

Clause XXVI.
Savings the jurisdiction of equity on the ground of acquiescence or otherwise.

Provided always, and be it further enacted, That nothing in this Act contained shall be deemed to interfere with any rule or jurisdiction of Courts of Equity, in refusing relief on the ground of acquiescence, or otherwise, to any person whose right to bring a suit may not be barred by virtue of this Act.

Clause XXVII.
Mortgagor to be barred at the end of twenty years from the time when the mortgagee took possession, or from the last written acknowledgment.

And be it further enacted, That when a mortgagee shall have obtained the possession or receipt of the profits of any land, or the receipt of any rent comprised in his mortgage, the mortgagor, or any person claiming through him, shall not bring a suit to redeem the mortgage but within twenty years next after the time at which the mortgagee obtained such possession or receipt, unless, in the mean time, an acknowledgment of the title of the mortgagor, or of his right of redemption, shall have been given to the mortgagee, or some person claiming his estate, or to the agent of such mortgagor or person, in writing, signed by the mortgagee, or the person claiming through him, and in such case no such suit shall be brought but within twenty years next after the time at which such acknowledgment, or the last of such acknowledgments, if more than one, was given, and when there shall be more than one mortgagor, or more than one person claiming through the mortgagor or mortgagors, such acknowledgment, if given to any of such mortgagors or persons, or his or their agent, shall be as effectual, as if the same had been given to all such mortgagors or persons; but where there shall be more than one mortgagee, or more than one person claiming the estate or interest of the mortgagee or mortgagees, such acknowledgment, signed by one or more of such mortgagees or persons, shall be effectual only as against the party or parties signing, as aforesaid, and the person or persons claiming any part of the mortgage money, or land, or rent, by, from, or under him or them, and any person or persons entitled to any estate or estates, interest or interests, to take effect after or in defeazance of his or their estate or estates, interest or interests, and shall not operate to give to the mortgagor or mortgagors, a right to redeem the mortgage as against the person or persons entitled to any other undivided or divided part of the money or land or rent; and where such of the mortgagees, or persons aforesaid, as shall have given such acknowledgment shall be entitled to a divided part of the land or rent comprised in the mortgage, or some estate or interest therein, and not to any ascertained part of the mortgage money, the mortgagor or mortgagors shall be entitled to redeem the same divided part of the land or rent, on payment, with interest of the part of the mortgage money which shall bear the same proportion to the whole of the mortgage money, as the value of such divided part of the land or rent shall bear to the value of the whole of the land or rent comprised in the mortgage.

Provided always, and be it further enacted, That it shall and may be lawful for any person entitled to, or claiming under any mortgage of land, to make an entry, or bring an action at law, or suit in equity, to recover such land at any time within twenty years next after the last payment of any part of the principal money or interest secured by such mortgage, although more than twenty years may have elapsed since the time at which the right to make such entry, or bring such action or suit in equity shall have first accrued.

Clause XXVIII.
Any person entitled to any mortgage of land, may enter or sue to recover such land within twenty years after last payment of principal or interest.

Provided always, and be it further enacted, That it shall be lawful for any Archbishop, Bishop, Dean, Prebendary, Parson, Vicar, Master of Hospital, or other Spiritual or Eleemosynary Corporation sole, to make an entry or distress, or to bring an action or suit to recover any land or rent within such period as hereinafter is mentioned, next after the time at which the right of such Corporation sole, or of his predecessor, to make such entry or distress, or bring such action or suit, shall first have accrued, that is to say, the period during which two persons in succession shall have held the office or benefice in respect whereof such land or rent shall be claimed, and six years after a third person shall have been appointed thereto, if the times of such two incumbencies, and such term of six years, taken together, shall amount to the full period of sixty years, and if such times taken together, shall not amount to the full period of sixty years, then during such further number of years, in addition to such six years, as will, with the time of the holding of such two persons, and such six years, make up the full period of sixty years; and after the commencement of this Act, no such entry, distress, action, or suit shall be made or brought at any time beyond the determination of such period.

Clause XXIX.
No lands or rents to be recovered by Ecclesiastical or eleemosynary Corporations sole, but within two incumbencies and six years, or sixty years.

And be it further enacted, That at the determination of the period limited by this Act to any person for making an entry or distress, or bringing any action, or suit, the right and title of such person to the land or rent for the recovery whereof such entry, distress, action or suit, respectively, might have been made or brought within such period, shall be extinguished.

Clause XXX.
At the end of the period of limitation, the right of party out of possession to be extinguished.

And be it further enacted, That the receipt of the rent payable by any tenant from year to year, or other lessee, shall, as against such lessee, or any person claiming under him (but subject to the lease), be deemed to be the receipt of the profits of the land for the purposes of this Act.

Clause XXXI.
Receipt of rent to be deemed receipt of profits.

And be it further enacted, That no action, real or mixed (except a writ of right or writ of dower unde nihil habet, or an ejectment), shall be brought after the commencement of this Act.

Clause XXXII.
Real and mixed actions, except dower and ejectment, abolished.

Provided always, And be it further enacted, That when, on the commencement of this Act, any person whose right of entry to any land shall have been taken away by any descent cast, discontinuance or warranty, might maintain any action, real or mixed, in respect of such land, such action may be brought after the commencement of this Act, but only within the period during which, by virtue of the provisions of this Act, an entry might have been made upon the same land, by the person bringing such action, if his right of entry had not been so taken away.

Clause XXXIII.
Saving the rights of persons entitled to real actions only at the commencement of the Act, &c.

And be it further enacted, That no descent cast, discontinuance or warranty, which may happen, or be made, after the commencement of this Act, shall toll or defeat any right of entry, or action, for the recovery of land.

Clause XXXIV.
No descent, warranty, &c., to bar a right of entry.

And be it further enacted, That after the commencement of this Act, no action or suit, or other proceeding, shall be brought to recover any sum of money secured by any mortgage, judgment or lien, or otherwise charged upon, or payable out of, any land or rent, at law or in equity, or any legacy, but within twenty years, next after a present right to receive the same shall have accrued to some person capable of giving a discharge for, or release of, the same, unless, in the meantime, some part of the principal money, or some interest thereon, shall have been paid, or some acknowledgment of the right thereto shall have been given, in writing, signed by the person

Clause XXXV.
Money charged upon land, and legacies to be deemed satisfied at the end of twenty years, if there shall be no interest paid, or acknowledgment, in writing, in the meantime.

by whom the same shall be payable, or his agent, to the person entitled thereto, or his agent; and in such case no such action, or suit, or proceeding, shall be brought, but within twenty years after such payment or acknowledgment, or the last of such payments or acknowledgments, if more than one, was given.

Clause XXXVI.
No arrears of dower to be recovered for more than six years.

And be it further enacted, That after the commencement of this Act, no arrears of dower, nor any damages on account of such arrears, shall be recovered or obtained by any action, or suit, for a longer period than six years, next before the commencement of such action or suit.

Clause XXXVII.
No arrears of rent or interest to be recovered for more than six years.

And be it further enacted, That after the commencement of this Act, no arrears of rent, or of interest, in respect of any sum of money charged upon, or payable out of, any land or rent, or in respect of any legacy, or any damages in respect of such arrears of rent or interest, shall be recovered by any distress, action or suit, but within six years next after the same, respectively, shall have become due, or next after an acknowledgment of the same, in writing, shall have been given to the person entitled thereto, or his agent, signed by the person by whom the same was payable, or his agent; Provided, nevertheless, that where any prior mortgagee, or other incumbrancer, shall have been in possession of any land, or in receipt of the profits thereof, within one year next before an action or suit shall be brought by any person entitled to a subsequent mortgage or other incumbrance on the same land, the person entitled to such subsequent mortgage or incumbrance may recover in such action or suit, the arrears of interest which shall have become due during the whole time that such prior mortgagee or incumbrancer was in such possession or receipt, as aforesaid, although such time may have exceeded the said term of six years.

Clause XXXVIII.
Act to extend to the Spiritual Courts.

And be it enacted, That after the commencement of this Act, no person claiming any legacy or other property, for the recovery of which he might bring an action or suit at Law, or in Equity, shall bring a suit, or other proceeding in any Spiritual Court, to recover the same, but within the period during which he might bring such action or suit at Law or in Equity.

Clause XXXIX.
No right of action or suit, or of entry to be revived or re-created by the Act, which, except for the Act, would have been barred.

Provided always, and be it further enacted, That nothing in this Act contained shall revive or re-create any right of action or suit, or authorize or enable any person to make an entry or distress, or bring an action, or suit, to recover any land or rent, which right of action, or suit, or whose right to make such entry or distress, or bring such action or suit, is, or except for this Act, would be, barred by any other Act of the Legislature of Grenada.

No. CXXV.

6 and 7 Victoria, c. 85. An Act for improving the Law of Evidence. [30th April, 1845.]
—Left to its operation by Order in Council, dated 13th September, 1845.

Preamble.

WHEREAS, the inquiry after truth in Courts of Justice is often obstructed by incapacities created by the present law, and it is desirable that full information, as to the facts in issue, both in criminal and in civil cases, should be laid before the persons who are appointed to decide upon them, and that such persons should exercise their judgment on the credit of the witnesses adduced, and on the truth of their testimony: Now, therefore,

Clause I.
No person to be incapacitated, from crime or interest, from being a witness, and giving testimony in Courts of Justice, &c.

be it enacted by the Governor, the Council and Assembly of the Island of Grenada and its Dependencies, and it is hereby enacted by the authority of the same, that no person offered as a witness, shall hereafter be excluded, by reason of incapacity from crime or interest, from giving evidence, either in person, or by deposition, according to the practice of the Court on the trial

of any issue joined, or of any matter or question, or on any inquiry arising in any suit, action or proceeding, civil or criminal, in any Court, or before any Judge, Jury, Provost-Marshal, Coroner, Magistrate, Officer, or person having, by law, or by consent of parties, authority to hear, receive and examine evidence; but that every person so offered may and shall be admitted to give evidence, on oath, or solemn affirmation, in those cases wherein affirmation is by law receivable, notwithstanding that such person may or shall have an interest in the matter in question, or in the event of the trial of any issue, matter, question or injury, or of the suit, action or proceeding in which he is offered as a witness; and notwithstanding that such person offered as a witness may have been previously convicted of any crime or offence; Provided, that this Act shall not render competent any party to any suit, action or proceeding, individually named in the record, or any lessor of the plaintiff, or tenant of premises sought to be recovered in ejectment, or the landlord, or other person in whose right any defendant in replevin may make cognizance, or any person in whose immediate and individual behalf any action may be brought or defended, either wholly or in part, or the husband or wife of such persons, respectively; Provided also, that this Act shall not repeal any provision in a certain Act of the Legislature of Grenada, passed in the year One Thousand Eight Hundred and Forty-one, intituled, "An Act for the amendment of the laws with respect to Wills;" Provided that in Courts of Equity any defendant to any cause pending in any such Court may be examined as a witness on the behalf of the plaintiff, or of any co-defendant in any such cause, saving just exceptions, and that any interest which such defendant so to be examined may have in the matters or any of the matters in question in the cause shall not be deemed a just exception to the testimony of such defendant, but shall only be considered as affecting or tending to affect the credit of such defendant as a witness.

Except a party to any action or suit individually named in the record; or a lessor of the plaintiff, or tenant of the premises to be recovered, &c.

The Act not to repeal the "Act for the amendment of the laws with respect to Wills." No. 99. Defendant to any cause in equity may be examined as a witness, saving just exceptions.

And be it enacted, That wherever in any legal proceedings, whatever, legal proceedings may be set out, it shall not be necessary to specify that any particular persons, who acted as Jurors, had made affirmation instead of oath, but it may be stated that they served as Jurymen, in the same manner as if no Act had passed for enabling persons to serve as Jurymen without oath.

Clause II. In legal proceedings, unnecessary to specify Jurors who made affirmation instead of oath.

And be it enacted, That the thirty-second Clause of a certain Act of the Legislature of Grenada, passed in the year One Thousand Seven Hundred and Ninety, commonly called the Court Act, shall be, and the same is, hereby, repealed.

Clause III. 32nd Clause of Court Act (No. 24,) repealed.

And be it enacted, That nothing in this Act shall apply to, or affect, any suit, action or proceeding brought or commenced before the passing of this Act.

Clause IV. Act not to affect actions, &c., brought before the passing of this Act.

No. CXXVI.

An Act to amend the Law respecting the apportionment of rents, annuities and other periodical payments. [30th April, 1845.]
—Left to its operation by Order in Council, dated 13th September, 1845.

WHEREAS, an Act was passed in the session of Parliament, held in the fourth and fifth years of the Reign of His late Majesty King William the Fourth, intituled an Act to amend an Act of the eleventh year of King George the Second, respecting the apportionment of rents, annuities and other periodical payments, and it is expedient to extend the provision of the said Act to this Colony; Be it therefore enacted, by the Governor, the Council and Assembly of the Island of Grenada and its Dependencies, and

Preamble. Statute 4 and 5, William IV., c. 22.

Clause I. Rents reserved on

leases, determining on the death of the person making them, (though not strictly tenant for life), or on the death of the tenant *pur autre vie*, to be considered as within the provisions of the Act of the 11, George 2, c. 19.

Clause II.
All rents, annuities and other payments coming due at fixed periods, to be apportioned.

Subject to all just deductions.

Remedies for obtaining the apportioned parts.

Clause III.
Act not to apply to certain cases.

it is hereby enacted and declared by the authority of the same, that rents reserved and made payable on any demise or lease of lands, tenements or hereditaments, which have been and shall be made, and which leases or demises determined or shall determine on the death of the person making the same (although such person was not strictly tenant for life thereof), or on the death of the life or lives for which such person was entitled to such hereditaments, shall, so far as respects the rents reserved by such leases, and the recovery of a proportion thereof by the person granting the same, his or her executors or administrators (as the case may be), be considered as within the provisions of the said Act, of the eleventh year of King George the Second.

And be it enacted, That from and after the passing of this Act, all rents service reserved on any lease by a tenant in fee, or for any life interest, or by any lease granted under any power, and which leases shall have been granted after the passing of this Act, and all rents charge, and other rents, annuities, pensions, dividends, and all other payments, of every description, in this Colony, made payable or coming due at fixed periods, under any instrument that shall be executed after the passing of this Act, or (being a will or testamentary instrument) that shall come into operation after the passing of this Act, shall be apportioned so and in such manner, that on the death of any person interested in any such rents, annuities, pensions, dividends, or other payments, as aforesaid, or in the estate, fund or office from or in respect of which the same shall be issuing or derived, or on the determination by any other means, whatsoever, of the interest of any such person, he or she, and his or her executors, administrators or assigns, shall be entitled to a proportion of such rents, annuities, pensions, dividends and other payments, according to the time which shall have elapsed from the commencement or last period of payment thereof, respectively (as the case may be), including the day of the death of such person, or of the determination of his or her interest, all just allowances and deductions in respect of charges on such rents, annuities, pensions, dividends and other payments being made; and that every such person, his or her executors, administrators and assigns, shall have such and the same remedies at law and in equity for recovering such apportioned parts of the said rents, annuities, pensions, dividends, and other payments, when the entire portion of which such apportioned parts shall form part shall become due and payable, and not before, as he, she or they would have had for recovering and obtaining such entire rents, annuities, pensions, dividends and other payments, if entitled thereto, but so that persons liable to pay rents reserved by any lease or demise, and the lands, tenements and hereditaments comprised therein, shall not be resorted to for such apportioned parts specifically, as aforesaid, but the entire rents of which such portions shall form a part shall be received and recovered by the person or persons who, if this Act had not passed, would have been entitled to such entire rents, and such portions shall be recoverable from such person or persons, by the parties entitled to the same, under this Act, in any action or suit at law or in equity.

Provided always, and be it enacted, That the provisions herein contained shall not apply to any case in which it shall be expressly stipulated that no apportionment shall take place, or to annual sums made payable in policies of assurance of any description.

No. CXXVII.

7 and 8 Victoria, c. 76. An Act to simplify the transfer of Property. [2nd May, 1845.]
—Left to its operation by Order in Council, dated 13th September, 1845.

Preamble.

FOR simplifying the assurance of property by deed, be it enacted by the Governor, the Council and Assembly of the Island of Grenada and its

Dependencies, and by the authority of the same, as follows, that is to say :

That the words and expressions hereinafter mentioned, which, in their ordinary signification, have a more confined or a different meaning, shall, in this Act, except where the nature of the provision, or the context of the Act, shall exclude such construction, be interpreted as follows (that is to say) : the word "land," shall extend to messuages, lands, tenements and hereditaments, whether corporeal or incorporeal, and to any undivided share thereof, and to any estate or interest therein, and to money subject to be invested in the purchase of land, or any interest therein ; the word "conveyance," shall extend to a feoffment, grant, release, surrender or other assurance of freehold land ; the word "person," shall extend to a corporation, as well as an individual ; and every word importing the singular number only, shall extend and be applied to several persons or things, as well as to one person or thing ; and every word importing the masculine gender only, shall extend and be applied to a female as well as a male.

Clause I.
Meaning of words defined.

"Land."

"Conveyance."

"Person."

Number and Gender.

That every person may convey, by any deed, without livery of seizin, or a prior lease, all such freehold land as he might, before the passing of this Act, have conveyed by lease and release, and every such conveyance shall take effect as if it had been made by lease and release.

Clause II.
Freehold land may be conveyed by deed without livery of seizin, or prior bargain and sale.

That no partition, or exchange, or assignment of any freehold or leasehold land, shall be valid at law, unless the same shall be made by deed.

Clause III.
Partitions, exchanges, &c., to be by deed.

That no lease, in writing, of any freehold or leasehold land, or surrender, in writing, of any freehold or leasehold land shall be valid as a lease or surrender, unless the same shall be made by deed ; but any agreement, in writing, to let or to surrender any such land shall be valid, and take effect as an agreement to execute a lease or surrender, and the person who shall be in the possession of the land, in pursuance of any agreement to let, may, from payment of rent or other circumstances, be construed to be a tenant from year to year.

Clause IV.
Leases and surrenders, in writing, to be by deed.

That any person may convey, assign or charge, by any deed, any such contingent or executory interest, right of entry for condition broken, or other future estate or interest, as he shall be entitled to, or presumptively entitled to, in any freehold or leasehold land, or personal property, or any part of such interest, right or estate, respectively, and every person to whom any such interest, right or estate shall be conveyed or assigned, his heirs, executors, administrators or assigns, according to the nature of the interest, right or estate, shall be entitled to stand in the place of the person by whom the same shall be conveyed or assigned, his heirs, executors, administrators or assigns, and to have the same interest, right or estate, or such part thereof, as shall be conveyed or assigned to him, and the same actions, suits and remedies for the same as the person originally entitled thereto, his heirs, executors or administrators, would have been entitled to if no conveyance, assignment or other disposition thereof had been made ; Provided that no person shall be empowered by this Act to dispose of any expectancy which he may have as heir, or heir of the body inheritable, or as next of kin under the statutes for the distribution of the estates of intestates of a living person, nor any estate, right or interest to which he may become entitled, under any deed thereafter to be executed, or under the will of any living person, and no deed shall, by force of this Act, bar or enlarge any estate tail ; Provided also, that no chose in action shall, by this Act, be made assignable at law.

Clause V.
Contingent interests may be conveyed by deed.

That neither the word "grant," nor the word "exchange," in any deed, shall have the effect of creating any warranty or right of re-entry, nor shall either of such words have the effect of creating any covenant by implication, except in cases where, by any Act of Parliament, or by any Act of the Legislature of this Colony, it is, or shall be declared, that the word "grant," shall have such effect.

Clause VI.
No implied warranty to be created by "grant" or "exchange."

That no conveyance shall be voidable only when made by feoffment or

Clause VII.

No conveyance to operate by wrong, or have greater effect than a release. other assurance, where the same would be absolutely void if made by release or grant; and that no assurance shall create any estate by wrong, or have any other effect than the same would have if it were to take effect as a release, surrender, grant, lease, bargain and sale, or covenant to stand seized (as the case may be.)

Clause VIII.
Contingent remainders abolished.

Executory devises and estates.

Existing contingent remainders to continue.

That after the time at which this Act shall come into operation, no estate in land shall be created by way of contingent remainder, but every estate which, before that time would have taken effect as a contingent remainder, shall take effect (if in a will or codicil) as an executory devise, and (if in a deed) as an executory estate of the same nature, and having the same properties as an executory devise, and contingent remainders existing under deeds, wills or instruments, executed or made before the time when this Act shall come into operation, shall not fail, or be destroyed, or barred, merely by reason of the destruction or merger of any preceding estate or its determination by any other means than the natural effluxion of the time of such preceding estate, or some event on which it was in its creation limited to determine.

Clause IX.
Executor or administrator of mortgagee empowered, on discharge of mortgage, to convey the legal estate vested in the heir or devisee.

That when any person entitled to any freehold land by way of mortgage, has or shall have departed this life, and his executor or administrator is or shall be entitled to the money secured by the mortgage, and the legal estate in such land is or shall be vested in the heir or devisee of such mortgagee, or the heir, devisee or other assign of such heir or devisee, and possession of the land shall not have been taken by virtue of the mortgage, nor any action or suit be depending, such executor or administrator shall have power, upon payment of the principal money and interest due to him on the said mortgage, to convey by deed or surrender (as the case may require), the legal estate which became vested in such heir or devisee; and such conveyance shall be as effectual as if the same had been made by any such heir or devisee, his heirs or assigns.

Clause X.
Receipt of trustees to be effectual discharges.

That the bonâ fide payment to, and receipt of, any person to whom any money shall be payable upon any express or implied trust, or for any limited purpose, or of the survivors or survivor of two or more mortgagees or holders, or the executors or administrators of such survivor, or their or his assigns, shall effectually discharge the person paying the same from seeing to the application, or being answerable for the misapplication thereof, unless the contrary shall be expressly declared by the instrument creating the trust or security.

Clause XI.
Indenting a deed, unnecessary.

That it shall not be necessary in any case to have a deed indented; and that any person not being a party to any deed may take an immediate benefit under it in the same manner as he might under a deed poll.

Clause XII.
The remedies for the rent and covenants in a lease not to be extinguished by the merger of the immediate reversion.

That where the reversion of any land expectant on a lease shall be merged in any remainder or other reversion or estate, the person entitled to the estate into which such reversion shall have merged, his heirs, executors, administrators, successors and assigns, shall have and enjoy the like advantage, remedy and benefit against the lessee, his heirs, successors, executors, administrators and assigns, for nonpayment of the rent, or for doing of waste or other forfeiture, or for not performing conditions, covenants or agreements contained and expressed in his lease, demise or grant, against the lessee, farmer or grantee, his heirs, successors, executors, administrators and assigns, as the person who would, for the time being, have been entitled to the mesne reversion, which shall have merged, would, or might have had, and enjoyed, if such reversion had not been merged.

Clause XIII.
Act to commence from 31st May, 1843.

That this Act shall commence and take effect from the thirty-first day of May, one thousand eight hundred and forty-five, and shall not extend to any deed, act, or being executed or done, or (except so far as regards the provisions hereinbefore contained as to existing contingent remainders) to any estate, right, or interest, created before the first day of June, in the same year.

No. CXXVIII.

An Act, to amend an Act, for assessing and ascertaining the valued rental of certain Houses, Stores, Sheds, Buildings, Lots and Tenements. [10th June, 1845.]—Left to its operation by Order in Council, dated 20th November, 1845. Repealed by Act, No. 175.

No. CXXIX.

An Act for enabling Courts to abstain from pronouncing Sentence of Death in certain Capital Felonies. [15th September, 1845.]—Left to its operation by Order in Council, dated 21st January, 1846.

WHEREAS, it is expedient that in all cases of felony, punishable with Death, except Murder, the Court before which the offender or offenders shall be convicted shall be authorized to abstain from pronouncing Judgment of Death, whenever such Court shall be of opinion that under the particular circumstances of any case, the offender or offenders is or are a fit and proper subject, or fit and proper subjects to be recommended for the Royal Mercy : Be it, therefore, enacted, by the Governor, Council and Assembly of the Island of Grenada and its Dependencies, and it is hereby enacted by the authority of the same, that whenever any offender shall hereafter be convicted before any Court, of any crime, except Murder, for which such offender shall be liable to the punishment of Death, and the Court, before which such offender shall be convicted, shall be of opinion that under the particular circumstances of the case such offender is a fit and proper subject to be recommended for the Royal Mercy, it shall and may be lawful for such Court, if it shall think fit so to do, to direct the proper officer, then being present in Court, to require and ask (whereupon such officer shall require and ask), if such offender hath or knoweth any thing to say why Judgment of Death should not be recorded against such offender ; and in case such offender shall not allege any matter or thing sufficient, in Law, to arrest or bar such Judgment, the Court shall and may, and is hereby authorized to abstain from pronouncing Judgment of Death upon such offender, and instead of pronouncing Judgment, to order the same to be entered of record ; and thereupon such proper officer, as aforesaid, shall and may, and is hereby authorized to enter Judgment of Death on record against such offender in the usual and accustomed form, and in such and the same manner as is now used ; and as if Judgment of Death had actually been pronounced in open Court against such offender, by the Court before which such offender shall have been convicted.

And be it enacted, That a record of every such Judgment, so entered as aforesaid, shall have the like effect, to all intents and purposes, and be followed by all the same consequences, as if such Judgment had actually been pronounced in open Court.

Clause I.
Offender convicted of any crime, except murder, punishable with death, and being fit to be recommended for the Royal Mercy, sentence of death to be recorded against him, and not pronounced.

Clause II.
Record of such Judgment so entered, to have the like effect as Judgment pronounced.

No. CXXX.

An Act against Fraudulent Deeds, Alienations, and Gifts. [29th September, 1845.]—Left to its operation by Order in Council, dated 21st January, 1846.

BE it enacted by the Governor, the Council and Assembly of the Island of Grenada, and its Dependencies, and it is hereby enacted by the authority

Clause I.
Every feoffment, gift, &c., of lands,

&c., or goods or chattels, or of any lease, rent, &c., by writing or otherwise, and every bond, &c., to the intent to delay, &c., creditors and others of their just actions, to be void against such persons.

Clause II.
Proviso.
As to bonâ fide transactions.

of the same, that every feoffment, gift, grant, alienation, assignment and conveyance of any lands, tenements, hereditaments, goods or chattels, or of any lease, rent, profit, right, interest or charge of, in, to, or out of any lands, tenements, hereditaments, goods or chattels, by writing or otherwise, and every bond, suit, judgment and execution, at any time had or made, or at any time hereafter to be had or made to, or for the end, purpose or intent, to delay, hinder or defraud creditors and others of their just and lawful actions, suits, debts, accounts, damages, penalties or forfeitures, shall be deemed and taken to be utterly void, and of no effect at law or in equity, as against that person or persons, his or their heirs, successors, executors, administrators and assigns, and every of them, whose action, suit, debt, account, damages, penalties, or forfeitures, by any such guileful, covinous or fraudulent device or practice, is, are, shall, may or might be in any wise disturbed, hindered, delayed or defrauded, any pretence or feigned consideration, or other matter or thing to the contrary notwithstanding.

Provided always, and be it enacted, That nothing in this Act contained, shall extend to any estate, right or interest in, or to any lands, tenements, hereditaments, leases, rents, profits, goods or chattels, now or hereafter to be lawfully had, made, conveyed, assigned or assured upon good consideration, and bonâ fide to any person or persons, or bodies politic or corporate, not having at the time of such conveyance, assignment or assurance to them made, any manner of notice or knowledge of such covin, fraud or collusion, as aforesaid.

No. CXXXI.

An Act for shortening the time of prescription in certain cases
[11th November, 1845.]—Left to its operation by Order in Council, dated 30th January, 1846.

Preamble.
Statute 2 and 3,
William IV., c. 71.

Clause I.
Claims to profits a prendre not to be defeated, after 30 years' enjoyment, by shewing the commencement.

After sixty years' enjoyment, the right to be abated.

WHEREAS, an Act was passed in the Session of Parliament, held in the second and third years of the Reign of his late Majesty King William the Fourth, intituled, "An Act for shortening the time of prescription in certain cases," whereby, after reciting that the expression "time immemorial, or time whereof the memory of man runneth not to the contrary," was then, by the Law of England, in many cases considered to include and denote the whole period of time from the Reign of King Richard the First, whereby the title to matters that had been long enjoyed was sometimes defeated by shewing the commencement of such enjoyment, which was in many cases productive of inconvenience and injustice, certain enactments were thereby made; And whereas, it is expedient to enact in this Colony, such of the provisions of the said Act as are applicable thereto; Be it, therefore, enacted, by the Governor, the Council and Assembly of the Island of Grenada and its Dependencies, and it is hereby enacted by the authority of the same, that no claim which may be lawfully made at the common Law by custom, prescription, or grant, to any profit or benefit, to be taken and enjoyed from, or upon any land of our Sovereign Lady the Queen, her heirs or successors, or of any ecclesiastical, or lay person or body corporate, except such matters and things as are herein specially provided for, and except rent and services shall, where such profit or benefit shall have been actually taken and enjoyed by any person claiming right thereto, without interruption, for the full period of thirty years, be defeated or destroyed, by showing only that such profit or benefit was first taken or enjoyed at any time prior to such period of thirty years, but, nevertheless, such claim may be defeated in any other way by which the same is now liable to be defeated; and when such profit or benefit shall have been so taken and enjoyed, as aforesaid, for the full period of sixty years, the right thereto shall

be deemed absolute and indefeasible, unless it shall appear that the same was taken and enjoyed by some consent or agreement expressly made or given for that purpose by deed or writing.

And be it further enacted, That no claim which may be lawfully made at the common law, by custom, prescription or grant, to any way or other easement, or to any watercourse, or the use of any water to be enjoyed or derived upon, over, or from any land or water of our said Lady the Queen, her heirs or successors, or being the property of any ecclesiastical or lay person, or body corporate, when such way or other matter, as herein last before mentioned shall have been actually enjoyed, by any person claiming right thereto, without interruption for the full period of twenty years, shall be defeated or destroyed by showing only that such way or other matter was first enjoyed at any time prior to such period of twenty years, but, nevertheless, such claim may be defeated in any other way by which the same is now liable to be defeated, and where such way or other matter, as herein last before mentioned shall have been so enjoyed, as aforesaid, for the full period of forty years, the right thereto shall be deemed absolute and indefeasible, unless it shall appear that the same was enjoyed by some consent or agreement expressly given or made for that purpose by deed or writing.

And be it further enacted, That when the access and use of light to, and for any dwelling-house, workshop, or other building, shall have been actually enjoyed therewith for the full period of twenty years without interruption, the right thereto shall be deemed absolute and indefeasible, any local usage or custom to the contrary notwithstanding, unless it shall appear that the same was enjoyed by some consent or agreement expressly made or given for that purpose by deed or writing.

And be it further enacted, That each of the respective periods of years hereinbefore mentioned, shall be deemed and taken to be the period next before some suit or action, wherein the claim or matter to which such period may relate, shall have been, or shall be brought into question, and that no Act or other matter shall be deemed to be an interruption within the meaning of this Act, unless the same shall have been, or shall be submitted to, or acquiesced in, for one year after the party interrupted shall have had, or shall have notice thereof, and of the person making or authorizing the same to be made.

And be it further enacted, That in all Actions upon the case and other pleadings, wherein the party claiming may now, by law, allege his right, generally, without averring the existence of such right from time immemorial, such general allegation shall still be deemed sufficient, and if the same shall be denied, all and every the matters in this Act mentioned and provided, which shall be applicable to the case, shall be admissible in evidence to sustain or rebut such allegation; and that in all pleadings to actions of trespass, and in all other pleadings wherein, before the passing of this Act, it would have been necessary to allege the right to have existed from time immemorial, it shall be sufficient to allege the enjoyment thereof as of right, by the occupiers of the tenement, in respect whereof the same is claimed for, and during such of the periods mentioned in this Act, as may be applicable to the case, and without claiming in the name or right of the owner of the fee, as is now usually done; and if the other party shall intend to rely on any proviso, exception, incapacity, disability, contract, agreement, or other matter hereinbefore mentioned, or on any cause or matter of fact, or of law not inconsistent with the simple fact of enjoyment, the same shall be specially alleged and set forth in answer to the allegation of the party claiming, and shall not be received in evidence on any general traverse or denial of such allegation.

And be it further enacted, That in the several cases mentioned in, and provided for, by this Act, no presumption shall be allowed or made in favour or support of any claim, upon proof of the exercise or enjoyment of

late, unless had by consent or agreement.

Clause II.
In claims to right of way, or other easement, the periods to be twenty years and forty years.

Clause III.
Claims to the use of light, enjoyed for twenty years, indefeasible, unless shown to have been by consent.

Clause IV.
Before mentioned periods to be deemed those next before suits for claims to which such periods relate.

Clause V.
In actions on the case, the claimant may allege his right generally, as at present.

Clause VI.
Restricting the presumption, to be allowed in support of

claims herein provided for. the right or matter claimed, for any less period of time, or number of years, than for such period or number mentioned in this Act, as may be applicable to the case, and to the nature of the claim.

Clause VII.
Proviso.
For infants, &c.

Provided also, That the time during which any person otherwise capable of resisting any claim to any of the matters before mentioned, shall have been or shall be an infant, idiot, non compos mentis, femme covert, or tenant for life, or during which any action or suit shall have been pending, and which shall have been diligently prosecuted, until abated by the death of any party or parties thereto, shall be excluded in the computation of the periods hereinbefore mentioned, except only in cases where the right or claim is hereby declared to be absolute and indefeasible.

Clause VIII.
What time to be excluded in computing the term of forty years, appointed by this Act.

Provided always, and be it further enacted, That when any land or water, upon, over, or from which any such way or other convenient water-course, or use of water shall have been, or shall be enjoyed or derived, hath been or shall be held under or by virtue of any term of life, or any term of years, exceeding three years from the granting thereof, the time of the enjoyment of any such way or other matter, as herein last before mentioned, during the continuance of such term, shall be excluded in the computation of the said period of forty years, in case the claim shall, within three years next after the end, or sooner determination of such term, be resisted by any person entitled to any reversion expectant on the determination thereof.

Clause IX.
Commencement of this Act.

And be it further enacted, That this Act shall not be in force until Her Majesty's pleasure shall be signified thereon in this Colony.

No. CXXXII.

An Act for granting an Aid to Her Majesty, to be applied for the purposes of Immigration. [12th December, 1845.]

Preamble.

WHEREAS, it hath been resolved by the House of Assembly of Grenada, that a yearly sum of five thousand pounds shall be raised, for the purposes of Immigration, and it is expedient to provide for the same accordingly: Be it, therefore, enacted, by the Governor, the Council and the Assembly of the Island of Grenada and its Dependencies, and it is hereby enacted by the authority of the same, That there shall be paid unto Her Majesty, her heirs and successors, the sum, tax or duty of six-pence, per gallon, upon and for every gallon of rum, the produce of this Colony, which shall be consumed, or sold for consumption, therein, on or after the first day of January, one thousand eight hundred and forty-six.

Clause I.
A duty of 6d., per gallon, on Rum, the produce of this Colony, consumed, or sold for consumption therein, on or after the 1st January, 1846, to be raised.
Vide Act, No. 166.

Clause II.
Every person having on hand on 1st January, 1846, any Rum, exceeding one hundred and twenty gallons, shall, within fourteen days thereafter, deliver, on oath, a statement thereof to Treasurer, according to Schedule A.

So, also, within fourteen days after every succeeding quarter, according to Schedule B., of all Rum disposed of.

Clause III.

And be it enacted, That every person who shall have on hand, on the first day of January, one thousand eight hundred and forty-six, any rum, exceeding one hundred and twenty gallons, shall, within fourteen days next thereafter, give in, upon oath (which oath any Justice of the Peace, or the Public Treasurer, is hereby authorized to administer), and deliver to such Public Treasurer, a full and true account, return, or ingiving, according to the Schedule hereunto annexed, marked A, of the greatest quantity of rum which such person shall have had on hand, on the said first day of January; and every such person shall, within fourteen days next after every succeeding thirty-first day of March, thirtieth day of June, thirtieth day of September, and thirty-first day of December, give in, upon oath, to be administered, as aforesaid, and deliver to the Public Treasurer, a full and true account, return, or ingiving, according to the Schedule hereunto annexed, marked B, of all or any part of such rum, which shall have been disposed of by such person during each preceding quarter, ending on, and including, the last day of the said quarterly return days, respectively.

And be it enacted, That the proprietor, attorney, manager or other

person in charge of every plantation or place, within this Colony, on which rum shall be distilled after the said first day of January, one thousand eight hundred and forty-six, shall give in, upon oath, to be administered as aforesaid, and deliver to the Public Treasurer, within fourteen days next after the thirty-first day of March, thirtieth day of June, thirtieth day of September, and thirty-first day of December in every year, a just and true account, return or ingiving of all or any rum made on such plantation or place during the preceding quarter, ending on, and including the last of the said quarterly return days, respectively, together with an account of the disposal of the same, according to the Schedule hereunto annexed, marked C. Provided that it shall not be necessary for any person who shall have included in such last mentioned return, any rum on hand on the first day of January, one thousand eight hundred and forty-six, to make a double return of such rum according to the form in Schedule B; and every factor in this Colony, to whom any such rum may be consigned or entrusted for sale, shall also, within fourteen days next after each of the said quarterly return days, give in, upon oath, to be administered as aforesaid, and deliver to the Public Treasurer, a just and true account of the receipt and disposal of all such rum, according to the Schedule hereunto annexed, marked D.

Proprietor, &c., of Estate, on which Rum shall be distilled after 1st January, 1846, to deliver, within fourteen days after every quarter, a statement, on oath, to Treasurer, of all Rum made on such Plantation, according to Schedule C.

Provided.
Rum on hand on 1st January, not to be again returned.

Factors to make returns, according to Schedule D.
Vide Act, No. 184, Clause 2.

And be it enacted, That every person who, on or after the first day of January, one thousand eight hundred and forty-six, shall purchase any rum, the produce of this Colony, for exportation therefrom, shall, within fourteen days next after each of the said quarterly return days, give in, upon oath, to be administered, as aforesaid, and deliver to the Public Treasurer, a just and true account of all such rum so purchased, together with an account of the disposal thereof, according to the Schedule hereunto annexed, marked E.

Clause IV.
Purchasers of such Rum for exportation, to make return according to Schedule E.

And be it enacted, That if any person shall refuse, neglect or omit to deliver to the Public Treasurer, any return required by this Act, or shall make any false or untrue return, then, and in any such case, every such person shall, on conviction thereof, forfeit and pay for each offence, a sum not less than five pounds, and not exceeding one hundred pounds, one half to be paid to Her Majesty, her heirs or successors, and the other half to any person who shall inform for the same.

Clause V.
Penalty for omitting to make return, &c.
Vide Act, No. 178, Clause 2.

And be it enacted, That the said tax or duty of six pence, per gallon, on rum on hand on the said first day of January, one thousand eight hundred and forty-six, which shall be consumed or sold for consumption in this Colony, shall be paid by the owner or owners thereof, by, or on account of whom the return hereby required shall have been made thereof, his, her, or their executors or administrators, within fourteen days next after such one of the said quarterly return days as shall happen next after the consumption, or disposal thereof for consumption.

Clause VI.
The said duty on Rum, upon hand on 1st January, 1846, when to be paid.

And be it enacted, That the said tax or duty of six pence, per gallon, on rum which shall be distilled in this Colony, after the said first day of January, one thousand eight hundred and forty-six, and consumed, or sold for consumption therein, shall be paid by the owner or manufacturer hereof, within fourteen days next after such one of the said quarterly return days, as shall happen next after the consumption, or disposal hereof for consumption in this Colony; Provided, that when any rum shall be entrusted to a factor for sale, the owner or manufacturer thereof shall not be liable to the said tax or duty, but such tax or duty shall be paid by such factor, within fourteen days next after such one of the said quarterly return days as shall happen next after the consumption, or disposal thereof by such factor.

Clause VII.
The said duty on Rum which shall be distilled after 1st January, 1846, when to be paid.

Provided.
With regard to such rum entrusted to factor for sale.
Vide Act, No. 184, Clause 2.

And be it enacted, That if any rum bought for exportation, shall not, within twelve calendar months next thereafter be exported, or shall within that period be consumed, or disposed of for consumption in this Colony, such rum shall thereupon be liable to the said tax or duty of six pence, per

Clause VIII.
Rum bought for exportation, and not within 12 calendar months exported,

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claims herein provided for.

Clause VII.
Proviso.
For infants, &c.

Clause VIII.
What time to be excluded in computing the term of forty years, appointed by this Act.

Clause IX.
Commencement of this Act.

the right or matter claimed, for any less period of time, or number of years, than for such period or number mentioned in this Act, as may be applicable to the case, and to the nature of the claim.

Provided also, That the time during which any person otherwise capable of resisting any claim to any of the matters before mentioned, shall have been or shall be an infant, idiot, non compos mentis, femme covert, or tenant for life, or during which any action or suit shall have been pending, and which shall have been diligently prosecuted, until abated by the death of any party or parties thereto, shall be excluded in the computation of the periods hereinbefore mentioned, except only in cases where the right or claim is hereby declared to be absolute and indefeasible.

Provided always, and be it further enacted, That when any land or water, upon, over, or from which any such way or other convenient water-course, or use of water shall have been, or shall be enjoyed or derived, hath been or shall be held under or by virtue of any term of life, or any term of years, exceeding three years from the granting thereof, the time of the enjoyment of any such way or other matter, as herein last before mentioned, during the continuance of such term, shall be excluded in the computation of the said period of forty years, in case the claim shall, within three years next after the end, or sooner determination of such term, be resisted by any person entitled to any reversion expectant on the determination thereof.

And be it further enacted, That this Act shall not be in force until Her Majesty's pleasure shall be signified thereon in this Colony.

No. CXXXII.

An Act for granting an Aid to Her Majesty, to be applied for the purposes of Immigration. [12th December, 1845.]

Preamble.

Clause I.
A duty of 6d., per gallon, on Rum, the produce of this Colony, consumed, or sold for consumption therein, on or after the 1st January, 1846, to be raised.

Vide Act, No. 186.

Clause II.
Every person having on hand on 1st January, 1846, any Rum, exceeding one hundred and twenty gallons, shall, within fourteen days thereafter, deliver, on oath, a statement thereof to Treasurer, according to Schedule A.

So, also, within fourteen days after every succeeding quarter, according to Schedule B., of all Rum disposed of.

Clause III.

WHEREAS, it hath been resolved by the House of Assembly of Grenada, that a yearly sum of five thousand pounds shall be raised, for the purposes of Immigration, and it is expedient to provide for the same accordingly: Be it, therefore, enacted, by the Governor, the Council and the Assembly of the Island of Grenada and its Dependencies, and it is hereby enacted by the authority of the same, That there shall be paid unto Her Majesty, her heirs and successors, the sum, tax or duty of six-pence, per gallon, upon and for every gallon of rum, the produce of this Colony, which shall be consumed, or sold for consumption, therein, on or after the first day of January, one thousand eight hundred and forty-six.

And be it enacted, That every person who shall have on hand, on the first day of January, one thousand eight hundred and forty-six, any rum, exceeding one hundred and twenty gallons, shall, within fourteen days next thereafter, give in, upon oath (which oath any Justice of the Peace, or the Public Treasurer, is hereby authorized to administer), and deliver to such Public Treasurer, a full and true account, return, or ingiving, according to the Schedule hereunto annexed, marked A, of the greatest quantity of rum which such person shall have had on hand, on the said first day of January; and every such person shall, within fourteen days next after every succeeding thirty-first day of March, thirtieth day of June, thirtieth day of September, and thirty-first day of December, give in, upon oath, to be administered, as aforesaid, and deliver to the Public Treasurer, a full and true account, return, or ingiving, according to the Schedule hereunto annexed, marked B, of all or any part of such rum, which shall have been disposed of by such person during each preceding quarter, ending on, and including, the last day of the said quarterly return days, respectively.

And be it enacted, That the proprietor, attorney, manager or other

person in charge of every plantation or place, within this Colony, on which rum shall be distilled after the said first day of January, one thousand eight hundred and forty-six, shall give in, upon oath, to be administered as aforesaid, and deliver to the Public Treasurer, within fourteen days next after the thirty-first day of March, thirtieth day of June, thirtieth day of September, and thirty-first day of December in every year, a just and true account, return or ingiving of all or any rum made on such plantation or place during the preceding quarter, ending on, and including the last of the said quarterly return days, respectively, together with an account of the disposal of the same, according to the Schedule hereunto annexed, marked C. Provided that it shall not be necessary for any person who shall have included in such last mentioned return, any rum on hand on the first day of January, one thousand eight hundred and forty-six, to make a double return of such rum according to the form in Schedule B; and every factor in this Colony, to whom any such rum may be consigned or entrusted for sale, shall also, within fourteen days next after each of the said quarterly return days, give in, upon oath, to be administered as aforesaid, and deliver to the Public Treasurer, a just and true account of the receipt and disposal of all such rum, according to the Schedule hereunto annexed, marked D.

And be it enacted, That every person who, on or after the first day of January, one thousand eight hundred and forty-six, shall purchase any rum, the produce of this Colony, for exportation therefrom, shall, within fourteen days next after each of the said quarterly return days, give in, upon oath, to be administered, as aforesaid, and deliver to the Public Treasurer, a just and true account of all such rum so purchased, together with an account of the disposal thereof, according to the Schedule hereunto annexed, marked E.

And be it enacted, That if any person shall refuse, neglect or omit to deliver to the Public Treasurer, any return required by this Act, or shall make any false or untrue return, then, and in any such case, every such person shall, on conviction thereof, forfeit and pay for each offence, a sum not less than five pounds, and not exceeding one hundred pounds, one half to be paid to Her Majesty, her heirs or successors, and the other half to any person who shall inform for the same.

And be it enacted, That the said tax or duty of six pence, per gallon, on rum on hand on the said first day of January, one thousand eight hundred and forty-six, which shall be consumed or sold for consumption in this Colony, shall be paid by the owner or owners thereof, by, or on account of whom the return hereby required shall have been made thereof, his, her, or their executors or administrators, within fourteen days next after such one of the said quarterly return days as shall happen next after the consumption, or disposal thereof for consumption.

And be it enacted, That the said tax or duty of six pence, per gallon, on rum which shall be distilled in this Colony, after the said first day of January, one thousand eight hundred and forty-six, and consumed, or sold for consumption therein, shall be paid by the owner or manufacturer thereof, within fourteen days next after such one of the said quarterly return days, as shall happen next after the consumption, or disposal thereof for consumption in this Colony; Provided, that when any rum shall be entrusted to a factor for sale, the owner or manufacturer thereof shall not be liable to the said tax or duty, but such tax or duty shall be paid by such factor, within fourteen days next after such one of the said quarterly return days as shall happen next after the consumption, or disposal thereof by such factor.

And be it enacted, That if any rum bought for exportation, shall not, within twelve calendar months next thereafter be exported, or shall within that period be consumed, or disposed of for consumption in this Colony, such rum shall thereupon be liable to the said tax or duty of six pence, per

Proprietor, &c., of Estate, on which Rum shall be distilled after 1st January, 1846, to deliver, within fourteen days after every quarter, a statement, on oath, to Treasurer, of all Rum made on such Plantation, according to Schedule C.

Proviso.
Rum on hand on 1st January, not to be again returned.

Factors to make returns, according to Schedule D.
Vide Act, No. 184, Clause 2.

Clause IV.
Purchasers of such Rum for exportation, to make return according to Schedule E.

Clause V.
Penalty for omitting to make return, &c.
Vide Act, No. 178, Clause 2.

Clause VI.
The said duty on Rum, upon hand on 1st January, 1846, when to be paid.

Clause VII.
The said duty on Rum which shall be distilled after 1st January, 1846, when to be paid.

Proviso.
With regard to such rum entrusted to factor for sale.
Vide Act, No. 184, Clause 2.

Clause VIII.
Rum bought for exportation, and not within 12 calendar months exported,

or within that period consumed, or sold for consumption in this Colony, to be liable to duty. gallon, which shall be paid by the person or persons who shall have bought the same for exportation, his, her, or their executors or administrators, within fourteen days next after such one of the said quarterly return days as shall happen next after the expiration of the said period of twelve calendar months, or the consumption or disposal of such rum for consumption within that period.

Clause IX.
No duty payable on loss, by leakage, &c.

Duty paid on Rum afterwards exported, to be repaid.

Clause X.
Penalty on refusing, &c., to pay duty.
Vide Act, No. 184.
Clause 6.

Proviso.
No person having less than 120 gallons of rum, on 1st January, 1846, to be liable to duty thereon.

Clause XI.
Illegal for proprietors, &c., of Estates after 1st January, 1846, to give in payment, &c., any rum, &c., to laborers.

Penalty on so offending.

Clause XII.
Licences to retail spirits to be granted on or after 1st January, 1846, to be reduced.

Clause XIII.
Penalties, &c., payable to Her Majesty, to be paid to Treasurer.

Clause XIV.
Forfeitures, &c., how recoverable.

And be it enacted, That no duty shall be paid for or on account of rum lost by leakage, evaporation, or in the transfer thereof from one part to another part of this Colony, by land or water carriage, and that when any rum on which the duty of six pence per gallon shall have been paid shall be afterwards exported, the duty so paid shall be repaid or returned to the party exporting the same, on proof, to the satisfaction of the public Treasurer, of the payment of such duty, and the exportation of such rum.

And be it enacted, That if any person or persons liable to pay any duty or tax imposed by this Act, shall refuse or neglect to pay the same to the Public Treasurer, at his Office, in the Town of Saint George, at, or within the time in that behalf appointed, the Public Treasurer is hereby required to cause the defaulter or defaulters to be summoned before any two or more Justices of the Peace, who shall proceed on such complaint, and adjudicate thereon, and such adjudication shall be enforced in the manner hereinafter appointed for the recovery of forfeitures, by summary conviction, under this Act; Provided, that no person having a less quantity than one hundred and twenty gallons of rum on hand on the said first day of January, one thousand eight hundred and forty-six, shall be held or deemed liable to the said duty or tax of six-pence per gallon, for, or in respect of any such less quantity of rum so on hand on that day.

And be it enacted, That it shall not be lawful for any proprietor or possessor of any plantation or estate, nor for any attorney, manager, overseer, agent, or any other servant of, or employed on, any plantation or estate, nor for any distiller of rum, on or after the first day of January, one thousand eight hundred and forty-six, to issue, deliver or give, by way of gratuity, or in payment or part payment of wages or hire, for any work or labour done or performed, or to be done or performed, any rum or other spirituous liquor, or any mixture thereof, to any hired laborer for his or her own use, or to any person for or on behalf of any such hired laborer. And if any person shall issue, deliver, or give any rum or spirituous liquor, or any mixture thereof, contrary to this Act, every such person so offending shall, on being convicted thereof before any two or more Justices of the Peace, forfeit and pay for each offence, a sum not less than two pounds, and not exceeding ten pounds, for every gallon or less quantity of rum or spirituous liquor, or any mixture thereof, so issued, delivered or given contrary to this Act, one half of such forfeiture to be paid to her Majesty, her heirs and successors, and the other half to be paid to the informer.

And be it enacted, That the duty or tax for every licensee granted on or after the first day of January, one thousand eight hundred and forty-six, to sell spirits or spirituous liquors in less quantity than twenty gallons at one and the same time, in the Town of Saint George, or any place within one mile thereof, shall be twenty pounds, and in any other place within this Colony, ten pounds, in lieu of the tax or duty for and in respect of licenses for retailing spirits, specified in, and required to be paid by, the Act passed on the tenth day of June last, intituled, "An Act for granting an aid to Her Majesty, by rates, taxes and assessments."

And be it enacted, That all pecuniary forfeitures incurred and imposed under or by virtue of this Act, and payable to Her Majesty, her heirs or successors, shall be paid to the public Treasurer, who is hereby authorized and required to receive the same.

And be it enacted, That all pecuniary forfeitures incurred under any of the provisions of this Act, shall be inquired of, and adjudicated by or before two or more Justices of the Peace, at the instance of the Public Treasurer,

or of the informer, where such informer shall be entitled to any part of such forfeiture, and upon complaint thereof respectively made by or on behalf, or at the instance of such Treasurer or informer, to any Justice of the Peace, such Justice of the Peace shall, and he is hereby required to summon the person or persons charged, to appear before him and any other Justice of the Peace, at a time and place to be named in such summons, and if the person or persons summoned shall not appear accordingly, then, upon proof of the due service of the summons upon such person or persons, or by leaving the same at his, her, or their usual place or places of abode, the said Justices, or any two or more Justices of the Peace may proceed to hear and determine the case, or issue their warrants for apprehending such person or persons, and for bringing him, her, or them before such Justices.

And be it enacted, That in every case of a summary conviction under this Act, where the sum which shall be forfeited or ordered to be paid, shall not be paid immediately after the conviction, or within such period not exceeding ten days after the conviction, as the Justices shall at the time of the conviction appoint, it shall be lawful for the convicting Justices, where the amount of the sum forfeited or ordered to be paid shall not exceed ten pounds, by warrant under their hands and seals, to authorise and require any Constable to levy the same, together with the costs and charges attending such levy, by distress and sale of the goods and chattels of the person or persons so convicted, and in default of such distress, it shall and may be lawful for such Justices to commit such person or persons so convicted, to the common gaol of this Island, there to be imprisoned for any term not exceeding three calendar months, or until payment of such sum so forfeited or ordered to be paid; and where the amount of the sum forfeited or ordered to be paid shall exceed ten pounds, by warrant under their hands and seals, to authorise and require the Provost Marshal General to levy the same, together with the costs and charges attending such levy, upon the goods and chattels, lands, tenements and hereditaments of the person or persons so convicted, in the same manner, and under the same regulations and restrictions, as he would levy, under execution, any debt or damages recovered in the Supreme Court of Judicature, and in default of goods and chattels, lands, tenements and hereditaments, of the person or persons so convicted, it shall and may be lawful for the Provost Marshal to take the body or bodies of such person or persons so convicted, and him, her, or them to imprison in the common gaol of this Island, for any term not exceeding six calendar months, as the said Justices shall direct, or until payment of such sum so forfeited or ordered to be paid.

Clause XV.
Proceedings after
conviction to levy
fines, &c.

And be it enacted, That all taxes, monies and penalties (save and except the tax on licences for retailing spirituous liquors, or any mixture thereof), which shall be levied, paid to, or received by the Public Treasurer, under this Act, shall be applied for the purposes of Immigration, or for such other purposes as shall be specially enacted by the Legislature of Grenada.

Clause XVI.
Duties, fines, &c.,
(except duties on
licences to retail
spirits), under this
Act, to be applied
to Immigration.

And be it enacted, That no action or suit shall be commenced against any person or persons, whomsoever, for any matter or thing to be done in pursuance of this Act, until after seven days notice, in writing, shall be hereof given to such person or persons, or left at his or their last or usual place or places of abode, signed by the attorney at law for the intended plaintiff or plaintiffs, specifying the cause or causes of such action, or after sufficient satisfaction made or tendered, or after three calendar months next after the fact committed, for which such action or actions, suit or suits, shall be so brought, and that the defendant or defendants in such action or actions, suit or suits, and every of them, may plead the general issue, and give this Act and the special matter in evidence at any trial or trials which shall be had thereupon, and that the matter or thing for, or on which such action or actions, suit or suits shall be brought, was done in pursuance and by authority of this Act, and if the said matter or thing shall appear to have been so done, or if it shall appear that such action or suit was brought

Clause XVII.
Protection to per-
sons acting under
this Act.

Return of Rum produced, manufactured or disposed of, on, or from _____ Schedule C.
Plantation, in the Parish of _____ for the Quarter ending on the _____
day of _____ 184 .

MADE OR ON HAND.		DISPOSAL.	
Name of Plantation or Place.	Remaining on hand per last Return, on the _____ day of _____ 184	Made since last Return.	Total to be accounted for.
		Exported, and by what vessel.	
		Sold, and delivered for exportation, and to whom, by name.	
		Delivered to a Factor for sale, and to whom, by name.	
		Loss, by leakage, evaporation or in removal.	
		Consumed on the Plantation, and liable to duty.	
		Delivered, and liable to duty.	
		Remaining on hand, to be accounted for in next Return.	
		Total accounted for.	

I _____ do swear that the above is a just and true Return of all Rum produced or manufactured _____, or disposed of, on, or from _____ Plantation, situate in the Parish of _____ belonging to me, _____, or to, or in the possession of _____ for whom I am Attorney, Manager or Agent, for the Quarter ending on the _____ day of _____ 184 _____, made out pursuant to the provisions of an Act, intituled, "An Act for granting an aid to Her Majesty, to be applied for the purposes of Immigration."

Quarterly Return of the Receipt and Disposal of Rum by a Factor for sale. Schedule D.

RECEIPT.		DISPOSAL.	
Date of receipt.	Estate or Place where made.	Date of shipment or disposal.	Estate where made.
	Parish in which made.		Exported, and by what vessel.
	From whom received.		Sold, and delivered for exportation, and to whom, by name.
	On hand, per last Return.		Loss, by leakage, evaporation or in removal.
	Total to be accounted for.		Consumed, and liable to duty.
			Sold, and delivered for consumption, and to whom, by name.
			Remaining on hand, to be accounted for.
			Total accounted for.

I ——— do swear, that the above is a just and true Return of all Rum received and disposed of by me, between the ——— day of ——— 184, and the ——— day of ——— 184, made out pursuant to the provisions of an Act, intituled, "An Act for granting an aid to Her Majesty, to be applied for the purposes of Immigration."

SCHEDULE E.

Schedule E. Quarterly Return of Rum purchased for Exportation.

PURCHASED.			DISPOSAL.					
On hand per last Return, on the — day of — 184	Purchased since last Return, and from whom, and on what Estate manufactured.	Total to be accounted for.	Exported, and by what vessel.	Sold, for exportation, and to whom, by name.	Lost, by leakage, evaporation or in removal.	Consumed, and liable to duty.	Sold, and delivered for consumption, and liable to duty.	Remaining on hand to be accounted for.

I — do swear, that the above is a just and true Return of all Rum purchased for exportation and disposed of by me, for the Quarter ending on the — day of — 184, made out pursuant to the provisions of Act, intituled, "An Act for granting an aid to Her Majesty, to be applied for the purposes of Immigration."

No. CXXXIII.

An Act to repeal certain parts of the Market Act, so far as relates to the selling of Meat and Fish on the Sabbath-day. [March 18, 1846.—Left to its operation by Order in Council, dated 6th July, 1846.

Preamble. WHEREAS, by a proviso contained in the fifth Clause of an Act of the Legislature of these Islands, intituled, "An Act to repeal the several Acts at present in force in this Colony, for the regulation of Markets, and to substitute this Act in lieu thereof," the sale of meat and fish is permitted to take place before the hour of nine o'clock in the mornings of Sundays: And whereas, it is expedient to repeal so much of the said Clause of the said Act, as relates to the selling of meat before the hour of nine o'clock in the mornings of Sundays :

Clause I. Be it therefore enacted, by the Governor, the Council and Assembly of the Island of Grenada and its dependencies, and it is hereby enacted by the authority of the same, that from and after the publication of this Act, so much of the said fifth Clause of the before recited Act, as authorises the selling of meat and fish on Sundays, shall be, and the same is, hereby repealed.

Clause II. And, whereas, by the second Clause of the before recited Act, the Markets and Market-houses within this Island and its Dependencies are permitted to be kept open only until sunset on each and every day, Sundays excepted ;—Be it hereby enacted, that from and after the passing of this Act, it shall and may be lawful to keep open the several Markets and Market-houses until nine o'clock at night on each and every Saturday, anything contained in any Act of this Island to the contrary thereof notwithstanding.

Markets and Market-Houses may be kept open until 9 o'clock every Saturday night.

No. CXXXIV.

An Act to amend and to reduce into one Act, the Acts now in force for the amendment and preservation of the Public Highways in Grenada and Carriacou. [March 18, 1846.]—Left to its operation by Order in Council, dated 6th July, 1846. Vide Act, No. 138.

WHEREAS, the laws relating to the public highways in Grenada and in Carriacou have become intricate, by reason of the great number of the Acts relating thereto, which have been passed through a long series of years; And whereas, it is, therefore, highly expedient that all the Acts now in force, relating to the public highways, should be repealed, and that the purposes for which they have, from time to time, been made, should be secured by new enactments, exhibiting more perspicuously the various provisions contained in them; Be it therefore enacted, by the Governor, the Council and Assembly of Grenada and its Dependencies, and it is hereby enacted by the authority of the same, That an Act, intituled "An Act for appointing Commissioners to fix and ascertain the high roads, bye-roads, and cross roads in the Island of Carriacou," and bearing date the twenty-first day of December, one thousand seven hundred and eighty-five; An Act, intituled "An Act to ascertain and declare the public roads and highways in the Island of Grenada and Carriacou, to provide for the making, repairing, enlarging and keeping in repair such public roads and highways, to regulate the method of conducting roads from the interior plantations to churches, market, and convenient harbours or landing places, to provide for repairing and keeping in repair the Streets of the Town of Saint George, and the Town of Grenville, in the said Island of Grenada, to appoint proper persons for carrying the purposes of this Act into execution, and to repeal all Acts now in force relating to the high roads, bye-roads and streets in and through these Islands," and bearing date the twenty-third day of August, one thousand seven hundred and ninety-one; An Act, intituled "An Act to amend and repeal certain parts of an Act, intituled "An Act to ascertain the public roads and highways in the Island of Grenada and Carriacou, to provide for the making, repairing, enlarging and keeping in repair such public roads and highways, to regulate the method of conducting roads from the interior plantations to church, market, and convenient harbours or landing places, to provide for the repairing and keeping in repair the Streets of the Town of Saint George and the Town of Grenville, in the said Island of Grenada, to appoint proper persons for carrying the purposes of this Act into execution, and to repeal all Acts now in force relating to the high roads, bye-roads and streets, in and through these Islands," and bearing date the twenty-sixth day of December, one thousand seven hundred and ninety-six; An Act, intituled "An Act to alter and amend a former Act, commonly called the Road Act, so far as the same relates to the mode of repairing and keeping in repair the streets of the Town of Saint George, by negro labour, by substituting pecuniary assessments in lieu of such negro labour," and bearing date the twelfth day of July, one thousand seven hundred and ninety-nine; an Act intituled "An Act to empower Commissioners therein named, to amend, alter, and complete the public road from Beausejour to Palmiste," and bearing date the twentieth day of May, one thousand eight hundred and one; so much of an Act, intituled "An Act for appropriating a small vacant lot in that part of the Town of Saint George called the Bay, to the purposes of a public additional shipping and landing place for that part of the said town and harbour, and for the vesting the same in the Commissioners appointed by the Act, commonly called the Road Act, and bearing date the first day of

Classé I.
The following Acts,
viz.—21st Decem-
ber, 1785.

23rd August, 1791.

26th December,
1796.

12th July, 1799.

20th May, 1801.

No. 40 in part—1st
August, 1810.

- August, one thousand eight hundred and ten, as vests the said lot and all erections and improvements thereon in the Commissioners, for the time being, appointed under the said Act, intituled as therein aforesaid, and commonly called the Road Act, and their successors nominated or appointed as and under the powers and authorities therein mentioned; An Act intituled "An Act for altering the mode of appointing Commissioners or Way and Town-wardens, for making the road leading from the lower Town of Saint Patrick to Duquesne-bay a public road, for repealing certain parts of the present Road Act, altering certain parts of the present public roads, and for opening, repairing, and keeping in repair, at the public expense, the roads across the country, from Florida Ford to the Grand Etang road," and bearing date the sixteenth day of April, one thousand eight hundred and twelve; so much of an Act, intituled "An Act for dividing the Parish of Saint Mark, and uniting part thereof to the Parish of Saint Patrick, and part to the Parish of Saint John, and the Estate of Crochu, in Saint Andrew's, to the Parish of Saint David, in so far only as regards the Militia and road labour," and bearing date the twenty-seventh day of May, one thousand eight hundred and fifteen, as relates to the road labour; An Act, intituled "An Act, for appointing certain Commissioners to open a road from the public road near Government-House, to the public road through Mount Gay Estate, near the bridge across Tempe River," and bearing date the twenty-seventh day of July, one thousand eight hundred and eighteen; An Act, intituled "An Act, to enable the Road Commissioners of the Parish of Saint Patrick to alter part of the public road leading through Duquesne-valley, in the Parish of Saint Patrick, and also for regulating the proceedings of Road Commissioners in general hereafter, in cases of flood, inundations, or slips of land, rendering any part or parts of the public roads impassable," and bearing date the twenty-eighth day of November, one thousand eight hundred and twenty-one; An Act, intituled "An Act for altering certain parts of an Act regulating the mode of appointing Way and Town-wardens, and for appointing Commissioners or Way-wardens for carrying into execution the several Acts relating to the making and repairing the public roads in these Islands," and bearing date the twentieth day of December, one thousand eight hundred and twenty-three; An Act, intituled "An Act, for declaring the road leading through Beausejour-valley a public road," and bearing date the sixth day of July, one thousand eight hundred and twenty-four; An Act, intituled "An Act, to reduce the rate of assessment imposed by an Act of the Legislature of these Islands, intituled An Act to alter and amend a former Act, commonly called the Road Act, so far as the same relates to the mode of repairing and keeping in repair, the streets of the Town of Saint George, by negro labour, by substituting pecuniary assessments in lieu of such negro labour," and bearing date the twenty-fourth day of November, one thousand eight hundred and twenty-seven; An Act, intituled "An Act, for declaring certain private roads in the Island of Carriacou, to be public roads," and bearing date the twentieth day of May, one thousand eight hundred and twenty-eight; An Act, intituled "An Act to authorize the Road Commissioners of the Parish of Saint David, to alter part of the public road in that Parish," and bearing date the twenty-sixth day of May, one thousand eight hundred and twenty-eight; An Act, intituled "An Act, to provide for repairing the street leading through the Town of Grenville," and bearing date the twenty-first day of September, one thousand eight hundred and twenty-nine; An Act, intituled, "An Act, to increase the rate of assessment imposed by an Act of the Legislature of these Islands, intituled An Act to alter and amend a former Act, commonly called the Road Act, so far as the same relates to the mode of repairing and keeping in repair the streets of the Town of Saint George, by negro labour, by substituting pecuniary assessments in lieu of such negro labour," and bearing date the eighteenth day of August, one thousand eight hundred and
- 16th April, 1812.
- No. 44, in part--
27th May, 1815.
- 27th July, 1818.
- 28th November,
1821.
- 20th December,
1823.
- 6th July, 1824.
- 24th November,
1827.
- 20th May, 1828.
- 26th May, 1828.
- 21st September,
1829.
- 18th August, 1831.

thirty-one; An Act, intituled "An Act, to repeal the fourth Clause of the 28th July, 1832. general Road Act of Grenada and Carriacou, and for other purposes," and bearing date the twenty-eighth day of July, one thousand eight hundred and thirty-two; An Act, intituled "An Act, to alter the manner in which the streets of Charlotte-Town are repaired and kept in repair, by substituting pecuniary assessments in lieu of the statute or negro labor at present employed," and bearing date the eleventh day of March, one thousand eight hundred and thirty-four, respectively, so far as the same shall be in force at the time of the passing of this Act, shall be, and the same are, and each of them, is, hereby repealed, save and except as in this Clause is provided, that is to say; Provided, nevertheless, that nothing hereinbefore contained shall extend or be construed to extend so as to revive or give any force or effect to any Act repealed by the said recited Acts, or any of them, but such Acts shall be and continue repealed in such and the like manner as if this Act had not been made: Provided, nevertheless, that nothing herein contained shall extend or be construed to extend to interfere with any Acts done, or contracts or agreements made under the authority of any of the said recited Acts, or to extend to prevent the suing for, or recovery of, any penalty incurred for any offence committed against the provisions of the said recited Acts, or any of them, previous to the repeal of the said Acts in and by this Act, or to prevent or defeat any prosecution commenced or to be brought for such offence; but all penalties and forfeitures incurred may be sued for and recovered, and all contracts and agreements may be enforced, and all incroachments, nuisances, and other offences made or committed previous to the repeal of the said Acts against the provisions of the said Acts or any of them may be abated or prosecuted by the Commissioners continued or to be appointed under this Act, in the same manner to all intents and purposes as if this Act had not been passed; Provided always, that the Commissioners appointed under the authority of any of the said recited Acts, and being now in office as such Commissioners thereunder, shall continue for the residue of the respective terms for which they have been appointed to act, and shall have the same powers and authorities, and be subject to the discharge of the same duty, and be liable to the same penalties, as the Commissioners to be appointed under the authority of this Act, until such appointments shall have been made.

11th March, 1834.

Respectively repealed.

Proviso. As to previously repealed Acts.

Proviso. That this Act shall not extend to any existing Acts done, or contracts, &c., made, under the repealed Acts, or any of them. Nor to penalties or fines incurred. Nor to defeat prosecutions thereunder.

Proviso. That Commissioners appointed under repealed Acts, shall continue for the residue of the term of their respective appointments.

And be it enacted, That in the construction of this Act, the word "Commissioners" shall be understood to mean Commissioners of highways, waywardens, and townwardens for the place for which they shall respectively be appointed; the word "place," shall be construed to include Parish, united Parishes, Division or Town; the word "highway," shall be understood to mean all public roads, bridges, carriage-ways, cartways, horseways, bridleways, footways, causeways, churchways, streets and pavements; the word "Justices," shall be understood to mean Justices of the Peace for the Parish or Town in which the highway may be situate, or in which the offence may be committed; the words "owner" and "own," shall be understood, respectively, to include occupier and occupation; the word "person," shall be construed to include bodies politic and corporate, and corporations, aggregate and sole; that wherever, in this Act, in describing or referring to any person or party, animal, matter, or thing, the word importing the singular number or the masculine gender only is used, the same shall be construed to include, and shall be applied to several persons or parties, as well as one person or party, and females as well as males, and several animals, matters and things, as well as one animal, matter or thing, respectively, unless there be something in the subject or context repugnant to any such construction; and that this Act shall include and shall extend, and be applicable to, the Island of Carriacou, as well as the Island of Grenada:

Clause II. Interpretation of words and expressions. "Commissioners." "Place." "Highway."

"Justices." "Owner" and "own." "Person."

Singular number. Masculine gender.

And whereas, monies for the repairs of Roads are annually provided for

Preamble.

Recites how monies for repairs of roads are provided for.

Clause III.
How Commissioners are to be appointed, their place of residence, and number of them.

Out-going Commissioners to act till successors are appointed.

and, if consenting, may be re-elected.

Clause IV.
Names of persons, and of places, for which persons appointed Commissioners, and the time for which they are appointed, to be inserted in newspapers—which shall be sufficient notice thereof.

Commissioners' oath.

Commissioners, within ten days, to transmit to Secretary of the Island, certificate of having taken oath.
After expiration of one calendar month from publication, Commissioners to enter upon office.

Clause V.
Penalty on Commissioners refusing to act, or to take oath.

in the general Money Bill, and apportioned by vote of the Council and Assembly to and amongst the respective Road Commissioners :

And be it enacted, That the House of Assembly, with the concurrence of the Honorable Board of Council, shall, from time to time, or at any time as often as occasion shall or may require, nominate and appoint one or more person or persons residing in each place, to serve as a Commissioner or Commissioners for the same, not being more than three persons for the Town of Saint George ; three persons for the Parish of Saint George ; three persons for the united Parishes of Saint John and Saint Mark, not including Charlotte Town ; two persons for Charlotte Town, in the said Parish of Saint John ; three persons for the Parish, not including the Town of Saint Patrick ; two persons for the Town of Saint Patrick ; three persons for the Parish of Saint Andrew, not including the Town of Grenville ; two persons for the Town of Grenville ; three persons for the Parish, including the Town of Saint David ; three persons for the Island of Carriacou, not including the Town of Hillsborough, and two persons for the Town of Hillsborough, for a term of not more than three years, in the room and place of any other or others whose time of office has expired, or shall expire, by effluxion of time, removal from the place for which he may have been appointed, absence from the Colony for three months continuously, or death ; Provided, that any out-going Commissioner, whose time of office shall expire by effluxion of time, shall continue to act until his successor shall be appointed, as fully and effectually as if his time of office had not expired ; and shall, if consenting thereto, but not otherwise, be re-eligible, and may be re-appointed, and shall, in such case, continue to act and remain in office, anything herein contained to the contrary notwithstanding ; which Commissioners shall cause to be repaired, and to be kept in repair, the several highways of the place for which they are respectively appointed, and which are now, or hereafter may become, liable to be repaired by the said Commissioners, under the provisions of this Act.

And be it further enacted, That the name of every person, and the name of every place for which any person shall, from time to time, or at any time, be appointed to serve the office of Commissioner, together with the term for and during which he shall be appointed, shall, immediately after such appointment, be, by the Clerk of the House of Assembly, inserted in one or more of the public newspapers, in the said Island of Grenada, which shall be sufficient notice to all persons whomsoever, of such appointment, and every person so appointed shall, within twenty days after such notice, take the following oath before some Justice :—I, A. B., do sincerely swear, that I will truly, diligently, faithfully, and to the utmost of my ability, perform and discharge the duties of the office of Commissioner of Highways, for (the Parish, &c.) to which I am appointed, and that I will duly and faithfully account for, pay and apply all and every the sum and sums of money which shall come to my hands as Commissioner, according to, and under and in execution of the provisions of an Act, intituled (the title of this Act) ; and shall, within ten days after taking the said oath, transmit to the Secretary of the said Island of Grenada, a certificate, under the hand of the same Justice, of his having taken the said oath ; and upon, and after the expiration of one calendar month, from the publication of such notice of appointment, of every or any person, to be a Commissioner, such person so appointed shall, and he is hereby required to enter upon, and during the term of his appointment, or during so much thereof as he shall not be absent from the Island, or shall not have removed from the place for which he shall be appointed, for three calendar months, in either case continue to discharge the duties of the office of such Commissioner, under the provisions of this Act.

And be it further enacted, That if any person so appointed, in manner aforesaid, shall refuse or neglect to take upon himself the said office, or shall not take the said oath, or shall not continue during the term of his

appointment, if present in the Island, and not removed from the place for which he shall be appointed to discharge the duties of such office, he shall, on conviction, before two Justices, forfeit forty pounds, unless exempted by the Governor, on shewing him sufficient cause why such person should not be called upon to accept the said office, or to continue to discharge the duties thereof.

Unless on cause shown.

And be it enacted, That every highway, shall, where the ground and soil will admit thereof, be repaired, and kept in repair, twenty-four feet wide, exclusive of ditches or drains,

Clause VI.
Highways to be 24 feet wide, exclusive of ditches or drains.

And be it further enacted, That the owner of the land next adjoining to every highway, shall cut, prune, and plash his hedges, and also cut down or prune and lop the trees, bushes, or shrubs, growing in, or near such hedges or highways (except those trees planted for ornament or shelter), in such manner, that the highways shall not be prejudiced by the shade thereof, respectively, and that the sun and wind may not be excluded from such highway, to the damage thereof; and that if any such owner shall not, within fourteen days after notice given by the Commissioners, or any, or either of them, for that purpose, cut, prune and plash such hedges, and cut down or prune and lop such trees, bushes and shrubs, in manner aforesaid, it shall and may be lawful for the Commissioners, or any, or either of them, and they and he are, and is hereby required to make complaint thereof, to some Justice, where such highway shall be, who shall summon the owner of the said lands to appear before the said Justice, and any other Justice, to answer to the said complaint; and if it shall appear to the said Justices that such owner had not complied with the requisites of this Act, it shall and may be lawful for the said Justices, upon hearing the Commissioners, or any, or either of them, and the owner of such land, or his manager of estate or agent (or in default of his appearance, upon having due proof of the service of such summons) and considering the circumstances of the case, to order such hedges to be cut, plashed and pruned, and such trees, bushes and shrubs to be cut down or pruned in such manner, as may best answer the purposes aforesaid; and if the owner of such lands shall not obey such order, within fourteen days after it shall have been made, and he shall have had due notice thereof, he shall forfeit a sum at and after the rate of one shilling for every foot in length of such hedge, bush or shrub, which shall be so neglected to be cut down or pruned and lopped, and the sum of ten shillings for every tree which shall be so neglected to be cut down or pruned and lopped, and the Commissioners, in case of such default made by the owner, shall, and are hereby required to cut, prune, and plash such hedges, and to cut down or prune and lap such trees, bushes and shrubs, in the manner directed by such order, and such owner shall be charged with and pay over and above the said penalties, the charges and expences of doing the same, or in default thereof, such charges and expences shall be levied, together with the said forfeitures, upon his goods and chattels, by warrant from a Justice, in such manner as is authorized for forfeitures incurred by virtue of this Act.

Clause VII.
Owners of lands adjoining highway, shall cut, &c., &c., hedges, &c.

Penalty on omission, and proceedings on omission.

And be it enacted, That ditches, drains or watercourses of a sufficient depth and breadth for keeping all highways dry, and conveying the water from the same, shall be made, scoured, cleansed, and kept open, and sufficient trunks, tunnels, plates or bridges, shall be made and laid where any cartways, horseways, or footways lead out of the said highways into the lands or grounds adjoining thereto, by the owner of such lands or grounds; and every person who shall own any lands or grounds adjoining to, or lying near such highway through which the water hath used to pass from the said highway, shall, and is hereby required, from time to time, as often as occasion shall be, to open, cleanse, and scour the ditches, watercourses or drains, for such water to pass without obstruction; and that every person making default in any of the matters or things aforesaid, after fourteen days notice to him given by the Commissioners, or any or either of them, shall, for every such offence, forfeit the sum of five pounds.

Clause VIII.
Ditches, drains, &c., to be made where ways lead from highway into adjoining lands, by owners of such lands. Owners of lands to keep open, &c., the ditches.

Penalty on omission.

Clause IX.
Penalty for laying
any obstruction in
highway.

And be it further enacted, That if any person shall lay in any highway, any stone, timber, straw, dung, or other matter, or in making, scouring or cleansing the ditches, drains, or watercourses, shall permit the soil or earth, dug out of such ditches, drains, or watercourses to remain in such highway, in such manner as to obstruct or prejudice the same for the space of fourteen days, after notice thereof given by the Commissioners, or any or either of them, to abate the nuisance, every person offending in any of the said cases shall, for every such offence, forfeit and pay the sum of five pounds.

Clause X.
Owners of lands
not to permit ob-
structions to re-
main on highway.

And be it further enacted, That if any stone or timber, or any grass, straw, stubble, or other matter, for the making of any manure, or on any other pretence whatsoever, not tolerated by this Act, shall be laid in any highway, within the distance of six feet from the centre thereof, and shall not within four days after notice given by the Commissioners, or any or either of them, or some person aggrieved thereby, be removed, it shall and may be lawful for the owner of the lands adjacent, or any other person whomsoever, by order from some Justice, to clear the said highway by removing the said stone, timber, grass, straw, stubble, dung, or other matter, and to have, take and dispose of the same to his own use.

Clause XI.
Provisions for pre-
venting obstructi-
ons and nuisances
in highways, by
carts, ploughs, &c.

And for preventing obstructions and nuisances in the highways—Be it further enacted, That if any person shall wilfully set, place, or leave any waggon, cart, or other carriage, or any plough, or other instrument of husbandry, in any of the said highways (except only with respect to such waggon, cart or carriage, during such reasonable time as the same shall be loading or unloading, and standing as near the side of such highway as conveniently may be), so as to interrupt or hinder the free passage of any other carriage, or of any of Her Majesty's subjects; or if any person shall tether, or turn loose any horse, mule, ass, swine, ox, bull, cow, heifer, steer, calf, sheep or goat on any highway, so as to suffer or permit such animals to be tethered, or at large thereon, or shall cause any injury or damage to be done to any highway, or to the hedges, posts, rails, walls or fences thereof, or shall wilfully obstruct the passage of any highway, or wilfully destroy or injure the surface of any highway, or shall wilfully or wantonly pull up, cut down, remove or damage the posts, blocks or stones, fixed by order of the Commissioners, or shall dig or cut down the banks, which are the securities and defences of any highway, or break, damage or throw down any part of any highway, or the stones, bricks or wood fixed or placed upon the parapets or battlements of any bridge, or otherwise injure or deface the same, or pull down, destroy, obliterate or deface any mile stone or direction-post, or name of any street, or shall play at football, or any other game in any highway, or fly any kite therein, or exhibit any flag or other signal in any highway, or over or against any door or window that may have the effect of frightening any horse or mule, every person so offending in any of the said cases shall, for every such offence, forfeit a sum not exceeding ten pounds.

By tethering ani-
mals.

By injuring high-
way or hedges, &c.

By obstructing
highway.
By destroying sur-
face of highway.
By removing, &c.,
posts, &c.
By digging down
banks.

Defacing, &c., mile-
stones, &c.
Or name of street.
By playing games,
flying kites, or ex-
hibiting any signal.
Vide Act, No. 112,
Clause 22, and No.
136, Clause 17.

Clause XII.
Commissioners to
view highways, &c.

And be it further enacted, That the Commissioners shall, at all such times and seasons as they shall judge proper, view all the highways, trunks, tunnels, plats, hedges, ditches, banks, bridges, causeways, streets and pavements, and in case they shall observe any nuisances, encroachments, obstructions, or annoyances made, committed or permitted in, upon, or to the prejudice of them or any of them, contrary to the directions of this Act, they shall, from time to time, as soon as conveniently may be, give, or cause to be given, to any person doing, committing or permitting the same, personal notice, or notice in writing, to be left at his usual place of abode, specifying the particulars wherein such nuisance, default, obstruction or annoyance consists; and if such nuisance, obstruction or annoyance shall not be removed, and the ditches, drains, gutters and watercourses, afore-said, effectually made, scoured, cleansed and opened, and such trunks, tunnels, plats and bridges made and laid, and such hedges, and the wood

And to give direc-
tions respecting
nuisances, &c.

and underwood thereof, properly cut and pruned, within fourteen days after such notice of the same, respectively, given as aforesaid, then the said Commissioners shall be, and they are hereby fully authorized and empowered forthwith to remove such nuisances, obstructions or annoyances, and open, cleanse, and scour such ditches, gutters and watercourses, and make or amend such trunks, tunnels, plats or bridges, and cut and prune such hedges, and the wood and underwood thereof, for the benefit and improvement of the said highways, to the best of their skill and judgment, and according to the true intent and meaning of this Act; and the person so neglecting to make or open, and cleanse such ditches, gutters or watercourses, or to cut or prune such hedges, and the wood and underwood thereof, during the time aforesaid, after such notice given, shall forfeit for every foot in length, which shall be so neglected, the sum of one shilling; and the said Commissioners shall be re-imbursed what charges and expenses they shall be at, in removing such nuisances, obstructions or annoyances, and making or opening, cleansing and scouring such ditches, gutters, and watercourses, and in making or amending such trunks, tunnels, plats or bridges, and in cutting and pruning such hedges, respectively, and the wood and underwood thereof, by the person who ought to have done the same, over and above the said forfeiture; and in case such person shall, upon demand, refuse or neglect to pay the said Commissioners their charges and expenses, occasioned thereby, respectively, and also the said forfeiture of one shilling, per foot, then the said Commissioners shall apply to any Justice, and upon making oath before him of notice being given to the defaulter, in manner aforesaid, and of the said work being done by the Commissioners, and of the expenses attending the same, the said Commissioners shall be repaid by such person all such their said charges as shall be allowed to be reasonable by the said Justice, or in default of payment thereof, on demand, the same shall be levied in such manner as the penalties and forfeitures hereby inflicted are directed to be levied.

And be it further enacted, That it shall be lawful for the respective Commissioners, and they are hereby required, from time to time, as often as occasion shall be, from, or by reason of heavy rains, inundations, slips or slidings of land, or earthquakes, but not otherwise, to make, or cause to be made, a road through the grounds adjoining to any highway thereby rendered ruinous or narrow, which, in the opinion of the Commissioners, cannot be repaired (such grounds not being the site or ground whereon any house stands, nor being a yard, garden, park, planted walk, or avenue to any house) to be made use of by all passengers, cattle and carriages, as a public highway, and for such purpose it shall be lawful for the Commissioners to treat, contract and agree with the owner of, and persons interested in, any such adjoining lands or grounds, which they shall deem necessary to purchase, for the purpose of making such road, for the purchase thereof, and for the loss or damage such owner or persons may otherwise sustain: Provided such contract or agreement do not exceed the sum of fifty pounds; and if such contract, or the proposal therefore, exceed the said sum, then only by and with the consent and approval of the Council and Assembly, first had and obtained for that purpose, and it shall be lawful for all bodies politic and corporate, corporations aggregate and sole, tenants for life or in tail, husbands, guardians, trustees, feoffees in trust, committees, executors, administrators, and all other persons whomsoever, not only for and on behalf of themselves, their heirs and successors, but also for and on behalf of the person or persons entitled in reversion, remainder or expectancy after them, and for and on behalf of their cestui qui trusts, whether femmes covert, infants, or issue unborn, lunatics, idiots, or other person or persons, whomsoever, and to and for all femmes covert, who are or shall be seized or interested in their own right, and to and for all and every person and persons, whomsoever, who are or shall be possessed of, or interested in, any such lands or ground, or who shall sustain any damage as aforesaid, to

Clause XIII.
In what cases the
Commissioners
may, and how, de-
viate from high-
way.

Commissioners may
contract with per-
sons for purchase of
lands for new
traces.

contract with the said Commissioners for the sale thereof, or for the satisfaction to be made for the same, or for such damage as aforesaid, and by conveyance, lease and release, or bargain and sale, to sell and convey unto the said Commissioners all or any such lands or grounds, or any part thereof, for the purpose aforesaid; and all contracts, sales and conveyances, which shall be so made, shall be good, valid and effectual to all intents and purposes, and shall be a complete bar to all estates tail, and other estates, rights, titles, trusts and interests, whatsoever, any law, statute, usage or other matter to the contrary, notwithstanding; and all such bodies politic or corporate, corporations aggregate or sole, tenants for life or in tail, husbands, guardians, trustees, feoffees, committees, executors, administrators, and all other persons shall be, and are hereby indemnified for what they, or any of them, shall do, by virtue or in pursuance of this Act.

Clause XIV.

If persons refuse to contract with Commissioners for sale of lands, how Commissioners are to proceed.

And be it enacted, That if any such bodies politic or corporate, corporations aggregate or sole, tenants for life or in tail, husbands, guardians, trustees, feoffees, committees, executors, administrators, or any other person, interested in any such lands or ground, or sustaining any damage, as aforesaid, upon notice to him, her or them, given, or left in writing at the dwelling-house or place of abode of such person, or of the principal officer of any such bodies politic or corporate, corporations aggregate or sole, tenants for life or in tail, or at the house of the tenant in possession of any such lands or ground, shall, for the space of ten days next after such notice given, or left as aforesaid, neglect or refuse to treat, or shall not agree in the premises, or by reason of absence shall be prevented from treating, then, and in every such case, the Commissioners shall cause such damage, value or recompense to be inquired into and ascertained by a Jury of twelve indifferent men of the Parish or place wherein such lands or ground do lie, and in order thereto, the said Commissioners are hereby empowered and required, from time to time, as occasion shall require, to summon and call before such Jury, and examine upon oath, all and every person and persons whomsoever, who shall be thought necessary and proper to be examined concerning the premises (which oath the said Commissioners, or any, or either of them, are and is hereby empowered to administer); and such Commissioners shall, by ordering a view, or otherwise use all lawful ways and means, as well for their own as for the said Jury's information, in the premises, and after the said Jury shall have inquired of, and assessed such damage and recompense, they, the Commissioners, shall thereupon order the sum or sums of money, so assessed by the said Jury, to be paid by the said owners or other persons interested, according to the verdict or inquisition of such Jury, and such verdict or inquisition, and judgment, order and determination thereon, shall be final, binding and conclusive to all intents and purposes, against all parties and persons whomsoever, claiming or to claim any estate in possession, reversion or otherwise, their heirs and successors, as well absent as present, infants, femmes covert, idiots, lunatics and persons under any other disability whatsoever, bodies politic and corporate, corporations aggregate and sole, tenants for life, or in tail, as well as all and every person and persons whomsoever; and for summoning and returning such Juries, the said Commissioners are hereby empowered to apply to some Justice of the Peace, in the place where the said lands or grounds do lie, who shall thereupon issue his warrant in writing to some Constable of the same place, commanding him to impanel, summon and return an indifferent Jury of twenty-four persons, qualified to serve upon Juries, to appear before such Justice, and any other Justice with him, at such time and place as in such warrant shall be appointed; and the Constable is hereby required to impanel, summon and return such number of persons, accordingly, and out of the persons so impanelled, summoned and returned, the said Justices shall, and they are hereby empowered and required to swear, or cause to be sworn, twelve men, who shall be a Jury for the purposes aforesaid, and in default of a sufficient number of Jurymen, the said

Constable shall return other honest and indifferent men of the standers-by, or that can be speedily procured, to attend that service, to the number of twelve; and all persons concerned shall have their lawful challenges against the said Jurymen, when they come to be sworn, but shall not challenge the array; and the said Justices, acting in the premises, shall have power, from time to time, to impose any reasonable fine or fines upon such Constable making default in the premises, and on any of the persons that shall be summoned and returned on such Jury, and who, without sufficient cause, shall not appear, or appearing, shall refuse to be sworn on the said Jury, or, being sworn, shall refuse to give, or shall not give, his verdict, or, in any other manner, wilfully neglect his duty therein, contrary to the true intent and meaning of this Act, and on any person who, being required to give evidence before the said Jury, shall, without sufficient excuse, refuse or neglect to appear, or, appearing, shall refuse to be sworn or examined, or to give evidence, so that no one fine be more than five pounds on any such Constable, nor more than ten pounds on any other person for one offence.

And be it enacted, That every sum of money or recompense to be agreed for, or assessed, as aforesaid, not exceeding the sum of fifty pounds, shall be paid as soon as may be, by and out of any monies in the hands of the Public Treasurer, to the party or person entitled thereto, or to his agent, and every sum of money or recompense to be agreed upon or assessed, as aforesaid, exceeding the said sum of fifty pounds, and which shall have been approved of by the Council and Assembly, as aforesaid, shall, upon the production of the contract and agreement by, and between, and under the hands and seals of the said Commissioners, and any such body politic or corporate, corporation aggregate or sole, tenant for life, or in tail, husband, guardian, trustee, feoffee, committee, executor, administrator, or any other person interested in such lands, or ground, for the purchase and sale thereof, as aforesaid, or upon the production of such verdict, or inquisition and judgment, order and determination thereon, together with the joint resolution of the Council and Assembly, to, and leaving the same contract and agreement, or the same verdict, or inquisition and judgment, order and determination thereon, and the same joint resolution of the Council and Assembly, with the Public Treasurer, by the said Commissioners, be paid as soon as may be out of any unappropriated monies of the public in the hands of the Public Treasurer, to the party or person entitled thereto, or his agent; and upon such payment by the Public Treasurer, to such party or person, or his agent, and after four days' notice thereof, given to such party or person, or his agent, or left at his usual place of abode, or with the tenant in possession of such lands or ground, then such lands or ground shall be vested in such Commissioners, and shall and may be taken, and used for the purposes of this Act; and such lands or ground, and the site thereof, shall be laid into, and made part of the highway, in such manner as the said Commissioners shall direct, and shall be repaired and kept in repair, by such Commissioners, by the same ways and means as any other part of the highway under their management is, or ought to be, kept in repair; and all parties and persons, whomsoever, shall be divested of all right and title to such lands or grounds.

And be it enacted, That in case such jury shall give in and deliver a verdict for more monies, as a recompense for the right, interest or property of any person or persons in such lands or grounds, or for such damage or injury, to be sustained by him or them, respectively, as aforesaid, than what shall have been proposed and offered by the said Commissioners, before such application to the said Justice, as aforesaid, that then, and in such case, the costs and expenses attending the said several proceedings, shall be borne and paid by the Public Treasurer, out of any, or the next monies in or to come to his hands, under the provisions of this Act; but if such jury shall give and deliver a verdict for no more or for less monies

Clause XV.
How sums agreed for, or assessed, for the purchase of lands, are to be paid.

Clause XVI.
Costs of valuation of lands to be purchased, by whom to be paid.

than shall have been so offered and proposed, by the said Commissioners, before such application to the said Justice, that then the said costs and expenses shall be borne and paid by the person or persons who shall have refused to accept the recompense and satisfaction, so offered to him or them, as aforesaid.

Clause XVII.
How Commissioners, &c., to procure materials for repairing roads.

And be it enacted, That it shall be lawful for the Commissioners, and for all such persons as they shall appoint, to search for, dig, gather, take and carry away, any materials for making or repairing any highway, out of any common river, rivulet, or brook (not being within thirty yards of any bridge or causeway), or out of, or from, any waste land in any place in which any part of such highway may be, or in any adjoining place, and to haul and carry away any such materials when got over any waste land, without paying anything for such materials, and without being deemed trespassers; the said Commissioners, or other person or persons, filling up the pits or quarries, levelling the grounds, or sloping down the banks wherefrom such materials shall be taken, or railing or fencing off such pits or quarries, so that the same shall not be dangerous to any persons or cattle, and paying, or tendering out of any monies in the hands of the Public Treasurer, under the provisions of this Act, as hereinafter mentioned, for the damage done by going through and over any enclosed lands or grounds for, or with such materials, and such damages to be ascertained as hereinafter mentioned; and also, that it shall be lawful for the said Commissioners, and such person or persons as they shall appoint, to search for, dig, gather, get, take and carry away, any such materials, in or out of the land of any person or persons, where the same may be had or found in any place in which any part of such highway shall lie or be situate, or in any adjoining place (not being a garden, yard, park, planted walk, or avenue to any house, or any piece of ground, planted with canes), making or tendering such satisfaction in the manner aforesaid, for such materials, and for the damage done to the owners of the lands where and from whence the same shall be carried, as the said Commissioners shall judge reasonable; and also to land on, and carry through, or over, any inclosed lands or ground (not being a garden, yard, park, planted walk, or avenue to any house, or any piece of ground planted with canes), or on, through, or over any open or waste land, any stone or other materials for making or repairing any such highway, from any river, rivulet, stream or canal in any place in which any such highway lies, or in any adjoining place, paying or tendering, in the manner aforesaid, for the damage done in landing on, or going through, or over, any inclosed lands or grounds, for or with such materials, such sum or sums of money as the said Commissioners shall judge reasonable, and in case of any difference between such Commissioners, or other persons appointed and employed, as aforesaid, and the owner of such lands, concerning such payments and damages, as aforesaid, any two or more Justices for the place, wherein the place from whence such materials shall have been taken, shall be situate, on three days' notice being given, in writing, by either party to the other, shall hear, settle and determine the matter of such payments and damages, and the costs attending the hearing and determining the same.

Clause XVIII.
Commissioners not to take materials from enclosed lands, without notice to the owners of the premises.

And be it further enacted, That it shall not be lawful for the Commissioners, or any other person or persons acting under the authority of this Act, to dig, gather, get, take or carry away, any materials for making or repairing any highway, or for other such purpose or purposes, as aforesaid, out of or from any inclosed land or ground, until notice, in writing, signed by the Commissioners, shall have been given to the owner of the premises from which such materials are intended to be taken, or his known agent, or left at the house or last or usual place of abode of such owner, to appear before any two or more Justices, acting in and for the place where the lands from which such materials are intended to be taken, shall lie, to show cause why such materials shall not be had therefrom; and in case such

owner or agent shall attend, pursuant to such notice, but shall not show sufficient cause to the contrary, such Justices shall, if they think proper, authorize such Commissioners, or other person, to dig, get, gather, take, and carry away, such materials, at such time or times as to such Justices shall seem proper; and if such owner, or agent, shall neglect, or refuse to appear by himself, or his agent, the said Justices shall and may (upon proof, on oath, of the service of such notice, and which oath they are hereby empowered to administer) make such order therein as they shall think fit, as fully and effectually, to all intents and purposes, as if such owner, or his agent, had attended.

And be it enacted, That bridges, ramparts, banks, cops, and other works, appertaining thereto, as well as causeways and culverts, of stone or bricks, shall be built, maintained, and kept in repair, by the Commissioners over all such rivers, rivulets, streams, ravines, hollows, drains, gutters and water-courses, as run over or extend across any highway, as occasion shall require.

Clause XIX.
Bridges, &c., to be built.

Provided always, And be it further enacted, That if any person shall have a sugar-work, or other manufactory, and whose canal leading to, or discharge of water issuing or flowing from, any such sugar-work, or manufactory, runs along, or across any highway or private road, such part of the same highway, or private road, which such canal or discharge of water shall cross or intersect, shall be repaired and kept in constant repair at the sole expense of the proprietor or proprietors of such sugar-work or other manufactory, and such part of such canal, or discharge of water, as shall run along such highway, or private road, shall be cleaned, scoured, embanked, sustained and repaired by such parties, aforesaid, so that no injury or obstruction shall be occasioned by such canal, or discharge of water, to such highway, or private road; and all bridges, causeways or culverts, on or over such canal, or discharge of water, where they respectively cross such highways, shall be built of, and maintained, and kept constantly repaired, with stones, bricks, or iron plates, or pipes, by such owner; and if any person so bound to do, shall omit or neglect to do so, in any of the said cases, he shall, for each such omission, or neglect, forfeit a sum not exceeding twenty pounds.

Clause XX.
Owners of sugar-works, whose canals cross highway, to repair that part of highway.

And keep clean that part of canal.

And whereas, considerable and frequently irreparable damage is occasioned to highways, where, on both sides, or on either side thereof, the adjacent land is steep, precipitous or sloping, by persons planting provisions, or otherwise cultivating the soil of such adjacent land, so near to the summit or surface of such highway, that the soil of the same becomes loosened, and the rains afterwards descending thereon, wash away, and cause slips and slidings of such highways to take place: And whereas, also, persons are in the habitual and pernicious practice of digging away, or excavating the ground, and of burning wood for charcoal, and for other purposes, at the base of, or under the perpendicular or precipitous parts or sides of the highway: and of thereby causing the highway to be undermined, and ultimately to fall, sink, or be destroyed, to the imminent danger not only of property, but of the lives of persons travelling, passing, or being on, at, or near the place so undermined, falling, sinking, or destroyed; for remedy of which said respective grievances, Be it enacted, that if any person, whomsoever, shall plant, or cultivate, or after a previous conviction for having planted, or cultivated, shall continue planted or cultivated, any steep, precipitous or sloping land, within ten feet of the top or summit of any highway, or shall undermine, or shall dig away or excavate the ground, or shall burn wood for charcoal, or for any other purpose, at the base of, or under the perpendicular or precipitous part or side of any highway, he shall forfeit a sum not exceeding five pounds.

Clause XXI.
Preamble.

Penalty on persons planting or cultivating sloping grounds within 10 feet of top of highway; or undermining highway, or burning charcoal at the base of perpendicular or precipitous side of highway.

And for the purpose of raising and collecting funds or monies to maintain and keep in repair the several and respective highways in the Town of Saint George, Charlotte-Town, the Town of St. Patrick, the Town of Gren-

Clause XXII.

Assessment of
houses for repairs
of streets in the
several towns.

ville, and the Town of Hillsborough, respectively—Be it enacted, That there shall be raised, levied, collected and paid unto Her Majesty, her heirs and successors, for, and in respect of, the valued rental of all houses, stores, sheds, buildings, lots and tenements, within each of the said Towns, respectively, by the owners thereof, the following rates, duties, or assessments, that is to say, in respect of the valued rental of all houses, stores, sheds, buildings and tenements, except vacant lots, in the Town of Saint George, a sum of two pounds, for each one hundred pounds of such valued rental; and in respect of the valued rental of all houses, stores, sheds, buildings and tenements, except vacant lots, in Charlotte-Town, the Town of Saint Patrick, the Town of Grenville, and the Town of Hillsborough, respectively, a sum of two pounds, for each one hundred pounds of such valued rental, and so, in proportion, for any greater or less valued rental of all houses, stores, sheds, buildings and tenements, in the said Towns, respectively.

Clause XXIII.
In what manner the
Treasurer is to fix
the rate of such as-
sessments.

And be it enacted, That the said several duties, rates, or assessments, in the last above mentioned Clause of this Act specified, shall be ascertained and fixed by the Public Treasurer, from the returns to be annually given in to him by the Assessors appointed, or to be hereafter, from time to time appointed, for ascertaining the valued rental of all houses, stores, sheds, buildings, lots and tenements, within this Government, under and by virtue of an Act in such case amongst other things provided, and bearing date the twentieth day of June one thousand eight hundred and forty-three; and an Act, passed to amend the same, bearing date the tenth day of June, one thousand eight hundred and forty-five, or under or by virtue of any other Act to be hereafter passed for the same purpose, and such said several duties, rates or assessments, respectively, shall be paid upon, or previous to, the first day of September, in every year, by the respective parties, in the last mentioned Clause of this Act made liable to pay the same, to the Public Treasurer, at his office.

At what time such
assessments are to
be paid.

Clause XXIV.
If persons, liable to
such assessments,
omit to pay same,
Treasurer is to is-
sue warrants to levy
same.

And be it enacted, That if any person shall neglect or refuse to pay to the said Public Treasurer, the said several duties, rates or assessments hereinbefore imposed, upon, or in respect of, the valued rental of all houses, stores, sheds, buildings and tenements in the said several Towns, respectively, at the time hereinbefore in that behalf mentioned, the said Public Treasurer shall, and he is hereby authorised and required to issue his warrant under his hand and seal, directed to any Constable, or Constables, commanding him or them to levy on the goods and chattels of [such defaulter, for the said duties, rates, or assessments; and in case no sufficient goods or chattels can be found, then to take the body of such defaulter, and him safely to take to the Common Gaol, and there to deliver him to the Gaoler, or person in charge of the Gaol, where the said Gaoler, or person in charge of the Gaol, shall safely keep such person for the space of three calendar months, unless, in the mean time, the said duties, rates or assessments shall be fully paid, and the said Constable or Constables, to whom the said warrants shall be directed, is, and are, hereby authorised and required, upon receipt of such warrant, to levy and seize upon the goods and chattels of such defaulter, to satisfy and pay the amount of the said warrant, and all charges and expenses attending the sale thereof, and to sell the goods and chattels, by public out-cry, within ten days after such levy, public notice being first given in some or one of the Newspapers, and out of the monies arising from such sale, the said duties, rates or assessments shall be immediately paid over by the said Constable or Constables, to the Public Treasurer, and the surplus, after deducting all charges and expenses attending the levy and sale, together with the sum of four shillings to the Constable or Constables, to whom the said warrant shall be directed, for his or their trouble, shall be paid to such defaulter.

Clause XXV.
Town Commission-
ers may contract for
repairs, &c.

And be it enacted, That it shall and may be lawful for the Commissioners for the said several Towns, respectively, to enter into any contract or contracts, with any person or persons, for a term not exceeding one

year, for repairing and amending, and keeping in constant repair and cleanliness, the highways of the same Towns, respectively, or any part or parts thereof respectively.

And be it enacted, That for, and in respect of, every vacant, open and uninclosed lot, or parcel of land, in the Town of Saint George, and each of the other Towns of this Colony, respectively, there shall be, and is hereby imposed, a tax or sum of one shilling, for every foot in length, which any such vacant, open and uninclosed lot or parcel of land shall extend or run along, in front of every street, to be paid by the owner thereof, to the Public Treasurer, in the month of October, in each year, unless such owner shall inclose and fence in such vacant, open and uninclosed lot, or parcel of land, in a sufficient manner, to be approved of by, and certified to, the Public Treasurer in writing, by, and under the hands of, the Commissioners, previous to the said day hereby appointed, for payment of such tax or imposition; and in default of payment, the same shall, and may be recovered and levied in the same manner as the several duties, rates, taxes and assessments, hereinbefore mentioned and imposed by this Act, are directed to be recovered and levied.

And be it enacted, That the Commissioners for the respective places, shall, from time to time, as occasion may require, appoint some place in the respective Towns, whereat the dung, rubbish, and filth of the said Towns, respectively, shall be thrown and laid; and if any person shall thereafter throw or lay, or shall order, direct, or knowingly suffer or permit any servant to throw or lay any dung, rubbish, or filth into, or upon any of the streets, squares, or lanes, of the said respective Towns, or in any other place than the place appointed for that purpose, such person shall, for every such offence, forfeit the sum of ten shillings.

And be it enacted, That all penalties and forfeitures by this Act inflicted, or authorized to be imposed, for any offence against the same (the manner of levying, recovering, and applying of which is not hereby otherwise particularly directed,) shall, upon proof and conviction of the offences, respectively, before any two or more Justices, either by the confession of the party offending, or by the oath of any credible witness or witnesses, (which oath such Justices are, in every case, hereby fully authorized to administer), be levied by distress and sale of the goods and chattels of the offender, or person liable or ordered to pay the same, respectively, by warrant, under the hands of two or more Justices, before whom the party may have been convicted (which warrant such Justices are hereby empowered and required to grant,) and the overplus (if any), after such penalties, forfeitures, and fines, and the charges of such distress and sale, together with the sum of four shillings for the use and benefit of the Constable or Constables, to whom such warrant shall be directed, and to be retained by him or them, for his or their trouble, are deducted, shall be returned, upon demand, unto the owner of such goods and chattels; and in case such fines, penalties, and forfeitures shall not be forthwith paid, upon conviction, then it shall be lawful for such Justices, as aforesaid, to order the offender, so convicted, to be detained and kept in safe custody, until return can conveniently be made to such warrant of distress, unless the offender shall give sufficient security, to the satisfaction of such Justices, as aforesaid, for his appearance before such Justices, on such day or days as shall be appointed for the return of such warrant of distress, such day not being later than seven days from the time of taking any such security, and which security the said Justices, as aforesaid, are hereby empowered to take, by way of recognizance, or otherwise, or in case it shall appear to the satisfaction of such Justices, either by the confession of the offender, or otherwise, that he hath not goods or chattels, within the jurisdiction of such Justices, sufficient whereon to levy such penalties and forfeitures, such Justices may, at their discretion, without issuing any warrant of distress, commit the offender for such period of time, and in such and like manner, as if a warrant of distress had been used, and,

vide Act, No. 84, Clause 5.

Clause XXVI.

Vacant and uninclosed Town lots to be subject to a tax of one shilling per foot in length.

And shall be paid in October, annually, unless enclosed previous to day of payment.

If not paid, to be recovered like other rates imposed by this Act.

Clause XXVII.

Commissioners shall appoint place for throwing rubbish of Towns. Persons throwing rubbish in any other than appointed places, shall forfeit 10s.

Clause XXVIII.

Penalties and forfeitures under this Act, how to be recovered.

nulla bona returned thereon; but if a warrant of distress shall be issued, and upon the return thereof, it shall appear, that no sufficient distress can be had, whereupon to levy the said penalty, forfeiture or fine, and the same shall not be forthwith paid, or in case it shall appear to the satisfaction of such Justices, upon the confession of the offender, or otherwise, that he hath not sufficient goods and chattels whereupon such penalty, forfeiture or fine could be levied, if a warrant of distress were issued, such Justices shall not be required to issue such warrant; but in such case, such Justices are hereby required, by warrant under their hands, to cause such offender to be committed to the Common Gaol, there to be kept, for any term not exceeding one calendar month, unless such penalties, forfeitures and fines shall be sooner paid and satisfied, and the penalties and forfeitures, when so levied, unless otherwise directed by this Act, shall be for the use of Her Majesty, and shall be paid to the Public Treasurer, for the public uses of the Colony.

How to be applied.

Clause XXIX.

Party aggrieved by any irregularity in a distress, may recover satisfaction for special damages.

Tender of amends.

And be it enacted, That where any distress shall be made for any sum of money to be levied by virtue of this Act, the distress itself shall not be deemed unlawful, nor the party making the same be deemed a trespasser, on account of any default or want of form in any proceedings relating thereto, nor shall the party distraining be deemed a trespasser, ab initio, on account of any irregularity which shall be afterwards done in making the distress; but the person aggrieved by such irregularity may recover full satisfaction for the special damage in an action on the case; Provided always that no plaintiff shall recover in any action for any irregularity, trespass or wrongful proceedings, if tender of sufficient amends shall be made by, or on behalf of, the party who shall have committed, or caused to be committed, any such irregularity, trespass or wrongful proceedings, before such action brought; and in case no such tender shall have been made, it shall and may be lawful for the defendant, in any such action, by leave of the Court, where such action shall depend, at any time before issue joined, to pay into Court such sum of money as he shall see fit, whereupon such proceedings, or orders, and judgments, shall be had, made and given in, and by such Court, as in other actions where the defendant is allowed to pay money into Court.

Clause XXX.

Actions and suits against persons acting under this Act, not to be brought without 21 days notice. Nor after sufficient tender of amends. Nor after three calendar months after the act committed. General issue may be pleaded, &c.

If verdict be found for defendant, or plaintiff be nonsuited, &c., defendant shall have double costs.

Clause XXXI.

Recital of the existing traces of public roads throughout the colony.

And be it enacted, That no action or suit shall be commenced against any person, for anything done in pursuance of, or under the authority of this Act, until twenty-one days notice has been given thereof, in writing, to the Justice or person against whom such action is intended to be brought, nor after sufficient satisfaction, or tender of satisfaction has been made to the party aggrieved, nor after three calendar months next after the Act committed, for which such action or suit shall be so brought, and the defendant in such action or suit may plead the general issue, and give this Act, and every special matter, in evidence, at any trial which shall be had thereupon; and if the matter or thing shall appear to have been done under, or by virtue of this Act, or if it shall appear that such action or suit was brought before twenty-one days notice thereof given, as aforesaid, or that sufficient satisfaction was made or tendered, as aforesaid, or if any action or suit shall not be commenced within the time before limited, then the jury shall find a verdict for the defendant therein, and if a verdict shall be found for such defendant, or if the plaintiff in such action or suit shall become nonsuit, or suffer a discontinuance of such action, or if upon any demurrer in such action, judgment shall be given for the defendant therein, then, and in any of the cases aforesaid, such defendant shall have double costs, and shall have such remedy for recovery of the same, as any defendant may have for his costs in any other case by Law.

And whereas, in and by the said recited Act, bearing date the twenty-third day of August, one thousand seven hundred and ninety-one, the following roads hereinafter next mentioned and specified, and so therein described, were declared to be the public roads and highways in and

through the Island of Grenada, to be made, repaired, and kept in repair, at the expense of the same Island, that is to say, "A road beginning at the east end of Upper Montserrat, in the Town of Saint George, and continuing the old road under Government-House, until it forms a junction with the road vulgarly called La Borrie's, and then to ascend to the west of the present road, at six per cent., and cross the present road a little to the eastward of a gate which from the same leads into a piece formerly in canes, on the estate of Mr. De Pradines, and from thence to ascend at five per cent. to the brow of the hill above the old buildings of the estate of Good Hope, from thence to descend at three per cent., and pass near the dwelling-house of the same estate, and to continue descending at the same rate to the river Chemin, and having passed that river, then to ascend at four per cent. through Wooseley Park pasture, until it shall have passed a small ravine below, and to the north of Grove-place estate, and from thence to ascend at six per cent. to the brow of the hill to the south-west of Grove-place dwelling-house, and to continue on nearly a level through the said estate, and through the land of Jean Louis Berot, thence to descend at the rate of seven per cent., and pass the river St. Louis, about sixty yards above the ancient ford, and from thence to ascend at six per cent., until it shall have cleared the banks of that river, and then to ascend at five per cent. to the river Merangoine, and having passed the same, to run nearly on a level one hundred and thirty-one yards to clear the branches of that river, then to descend at five per cent. through Florence and Cape Sale states, and the corner of Mariel's pasture, then to enter Cape Sale again, and run through the same to the line of little Bacolet, and from thence, descending at six per cent., to join the old road at the place where it is crossed by the little Bacolet mill stream, and from thence to run along the present road to the estate of Mr. Dubisset, descending through the same at four per cent. to the river Requin, and running from thence nearly on a level through the Belle Vue estate, to the line of the same, there to enter the present road again, and to run along the same, as far as a little to the westward of the road that leads from the highway down to the Upper Latante dwelling-house, and to descend at four and a-half per cent. to the river called Trois Rivieres, and having crossed the same, to ascend at two and a-half per cent. until it reaches a small rising between the negro huts of that estate, from thence to descend at four and a-half per cent. to the river Latante, to pass the same, and run nearly on a level until it shall have joined the old road about thirty-three yards to the northward of the ancient ford, then to continue along the present trace, eight hundred and seventy-six yards, and then on nearly a level to the river Crochu, and having passed the same, to continue at an ascent scarcely perceptible, through Crochu estate, to the brow of the hill above the river Miniere, and the Crochu estate, and then to descend at seven per cent. to the said river Miniere, to pass the same about fifteen yards above the ancient ford, and from thence ascend at two and a-half per cent., the distance of one thousand and twenty-two yards, then to run on nearly a level, for the space of four hundred and thirty-six yards, to the top of the hill on Mrs. Fournillieur's estate, and from thence to descend at six and a-half per cent. through a cane-piece, and the pasture of that estate, as far as where the present road crosses the same, and after passing the same, continue to descend at six and a-half per cent., to the river Grand Bacolet, and passing the same, to come on nearly on a level into the pasture of Mrs. Houc's estate, then to run along the present road as lately opened, and continue in the same trace to Mrs. Houc's estate, and then to run along the same trace to an elbow or sharp returning angle in the descent, from Chateau Gay Hill, from thence to run near to the works of Post Royal, to cross the river there, and continue in the new road of Post Royal, to the Town of Saint Andrew, and from thence to continue in the new traces lately opened, until it falls in with the beach of the Soubise lime kiln, at four and a-half per cent. depression, and then to run

From Montserrat, in Town of Saint George, continuing under Government House, LaBorrie's Road, to estate of De Pradines—thence to Good Hope — thence to river Chemin, through Wooseley Park pasture.

Grove place estate.

Through land of Jean Louis Berot, and by river Saint Louis.

River Marangoine.

Through Florence and Cape Sale estates. Corner of Mariel's pasture.

Little Bacolet.

Estate of DuBisset.

River Requin.

Belle Vue estate.

Upper Latante.

Trois Rivieres.

River Latante.

River Crochu.

Crochu Estate.

River Menere.

Fournillieur's Estate.

River Grand Bacolet. Houc's Estate.

Chateau Gay Hill.

Post Royal works.

Town of St. Andrew.

Soubise beach.

Rocks of La Bay.	on nearly a level within the King's fifty paces to the rocks of La Bay, and passing the same, to run through the swampy ground at the back of the
Town of Grenville.	Town of Grenville, until it shall have joined the present road at the north end of that town, and from thence to continue in the same, and crossing
Paradise River.	the great river at the Paradise ford, to run along the present road to the
Lower Pearl Estate.	works of the Lower Pearl estate, and from thence in the present trace,
River Antoine beach.	until the same leaves the beach on the River Antoine estate, then to ascend
Herbert's point.	at four and a-half per cent., to the ridge on Herbert's point, and from thence
River Calabash.	to descend at five and a-half per cent., to the river Calabash, to cross that
La Fortune Estate.	river at the present ford, and continue in the present road to the spout
River St. Patrick.	which conveys the water across the same on La Fortune estate, and after
Mount William Estate.	continuing in the same road for forty yards beyond that spout, then to turn
Duquesne bay.	to the left, and descend to the river Saint Patrick, at six per cent., to rejoin
River Crawfish.	the present road, and run along the same to the line which divides the estate
Waltham Estate.	of Mount William, from that vulgarly called Dessaliers, from thence to keep
Saint Mark's battery.	to the left, and descend through Mount William plain to walk down to
Town of St. Mark.	Duquesne bay, then to continue along the beach to the south-west end of
Bon Air Estate.	that bay, and after rising at three per cent., for a small distance, to clear
Nettle Point.	the rocks on the sea-coast, to keep on nearly a level to the little river Craw-
Maran Estate.	fish, then to turn a little to the left, and pass through the lands of Waltham
Charlotte Town.	estate, in the best possible direction, until it shall join the present road
Dougaldston and Mount Nesbit Estates.	below the dwelling-house of that estate, and to continue in the present
Palmiste and Grand Roy Estates.	road to the foot of the hill on which Saint Mark's battery is situated, and
Beausejour Bay.	to pass along the west side of the said hill, below the said battery, to the
Molinier's Estate	Town of Saint Mark, to enter the said Town, and continue in the present
Grand Mal quarry Hospital Estate.	trace to the end of the said Town, then to turn to the left, and pass through
	the land of Bon Air estate, in the best possible direction, until it shall join
	the present road at the line which divides that estate from the lands
	belonging to Jean Fedon, and then to continue in the present trace
	to Nettle Point, on the estate of Francois Roy, and from thence,
	keeping a little to the left, to descend at six per cent. and fall in with the
	present road a little to the northward of his landing place, and to continue
	in the same until it reaches the north gate on Maran estate, then to pass
	through the land of that estate in the best possible direction, to the great
	river of Gouyave, to enter Charlotte Town, and continue in the present
	road for four hundred and eighteen yards beyond that river, then to ascend
	at one per cent. to the line which divides the estate of Dougaldston from
	that of Mount Nesbet, and from thence to run along the present road until
	it shall have passed a small ravine to the northward of Mount Nesbet lower
	works, then to descend at six per cent. to Mount Nesbet store on the bay,
	then to pass through the land of Palmiste and Grand Roy estates, in the
	best possible direction, until it shall join the trace lately opened by the au-
	thority of the Committee of the Council and Assembly, appointed to con-
	tract and agree with any person or persons desirous to undertake to make
	a road from the north end of Beausejour bay, to Palmiste, to continue in
	the same trace and in the present road to Beausejour bay, to enter the pre-
	sent road to Beausejour lime kiln, and continue therein one thousand yards,
	then to ascend at six per cent. to the ridge of the hill on the estate of
	Messieurs Preudhomme and Molenier, near the line which divides that
	estate from Beausejour, and from thence to continue in the present trace as
	far as the place where their canal crosses the present road, on the side of
	the ravine next the works, and so to continue in the present trace for about
	one hundred and fifty yards, and then to diverge in the best possible di-
	rection to the right, on the pasture round the western side of the hill,
	on which the dwelling-house and out-offices of Messieurs Preudhomme
	and Molenier are situated, until it fall into the trace lately opened, leading
	to the top of Grand Mal quarry, and from thence through the lands of
	Grand Mal, Mr. Sealy, Mount Melvil, and the Hospital estate, in the
	best possible direction, until it shall join the road hereinafter thirdly de-

scribed, at or near the bridge lately erected by Government, over the river St. John.

Bridge over River Saint John.

"Secondly,—The present road leading from the east end of Lower Montserrat, in the said Town of St. George, by Paterson Point, through the Artillery ground, and through the several estates called the Springs, Clarke's Court, Caliviny and Westerhall, and part of the estate of Little Bacolet, until it joins the road first hereinbefore declared and described, on the said estate of Little Bacolet.

Secondly:

Lower Montserrat, in the Town of St. George, on Paterson's Point, Springs, Clarke's Court, Caliviny, and Wester Hall, and part of Little Bacolet.

"Thirdly,—A road from the stores, at the north end of the Town of Saint George, to pass a little to the right of the present road, to re-enter the same at the line of Mount Gay estate, and pass the stone bridge, lately erected over the river Tempe, and continue through the estate of Mount Gay, as far as opposite the old ford, in that estate, across the river Saint John, and then to strike off to the left, three hundred and seventeen feet at a depression of three and a half per cent., and then to run along the river two hundred and forty-six feet in the present road, and then again to the left, one thousand and thirty-five feet, at two and a half per cent. depression, which intersects the present road near Beaulieu bridge, to the new Grand Etang road, and so on, to the Town of Grenville.

Thirdly:

North end of Town of Saint George, to Mount Gay Estate. Bridge over Tempe river. River Saint John.

"Fourthly,—The present road leading from Charlotte Town, in the Parish of Saint John, through the several plantations of the late William Lindow, Esquire, deceased, Matthew Dragon, Philip Frament, Jean Dugna, deceased, Victoire and Angelique Thuillier, Charles Philip Clozier, Esquire, deceased, Richard Bosanquet, Esquire, the heirs of John David Fatio, and Thomas Blackven, deceased, Henry Louis Gautier deceased, John Porteus deceased, Robert Harvey, Sir Charles Bunbury, Peter Castaing, and the heirs of Gruaud and Julien Beltgens, until it joins the new Grand Etang road, leading from the Town of Saint George, across the Island, to the Town of Grenville, in the Parish of Saint Andrew.

Beaulieu bridge, to Grand Etang road.

Fourthly:
From Charlotte Town.

"Fifthly,—A road from the Artillery ground through the pasture of the Springs estate, above the still-house, and through the pasture and canes of the estate of Belmont, to keep by the sea-side, so near as may be, and continue to the furthest establishment on Point Saline, and to the public salt-ponds, and to return by the south-side of the Point, as near the sea as may be, passing through the estates of True Blue, Grand Ance and Clarke's Court, to join the road to Caliviny, near the line of the Spring's estate."

The junction of Grand Etang Road, leading from Town of Saint George, to Town of Grenville.

Fifthly:
From Artillery ground, through Springs' Estate pasture. Belmont Estate. Point Saline, and to return by True Blue, Grand Ance, and Clarke's Court Estates, to Caliviny road.

And whereas, in and by the third Clause of the said Act, bearing date the twenty-eighth day of July, one thousand eight hundred and thirty-two, the two roads leading from the said first mentioned road to the Saint David's Church, were declared to be public roads, and to be repaired and kept in repair as other public roads and highways: And whereas, under and by virtue of the eleventh Clause of the said Act, bearing date the sixteenth day of April, one thousand eight hundred and twelve, the Commissioners or way and town-wardens, for the Parish of Saint Patrick, were authorized to alter, and did accordingly alter that part of the said first-mentioned road, from the river Calabash to Morne Fendue bridge, in manner following, that is to say—"From the steep part of the road above the river Calabash, on the Point Estate, keeping above the ford, and then to cross the river, and ascend by the best possible trace either to the right hand or to the left of the present road, through the River Sallee cane land, until it should reach the summit thereof, continuing by the easiest trace through the said cane land, so as to avoid the steepest part of Lataste Hill, then to descend, gradually, from the line of the river Sallee Estate, to rejoin the present trace opposite to, or a little below, the negro houses of Lataste Estate, and to continue the old road through the Plain, until about half way up Morne Fendue Hill, then to strike off to the right in the direction of the present cart road to a large silk cotton tree in the pasture, and leading behind the dwelling-house of that estate, continuing the said cart road, and crossing the line of Madey's Estate, in the best possible trace to the river, and from

Two roads leading from first-mentioned road to Saint David's Church.

Alteration of that part of the said road leading from river Calabash, to Morne Fendue bridge.

thence to join the present high road ;” and it was thereby declared that such new trace, when made, should be, and be deemed, and the same was thereby declared to be a public road ; And whereas, by the said Act, bearing date the twentieth day of May, one thousand eight hundred and one, certain Commissioners therein named were required to examine that part of the said first-mentioned road, leading from Beausejour bay to Palmiste, and to trace and open (and they did accordingly examine, trace, and open) such part of the road as had been omitted to be opened by the former Commissioners, under the said Act, bearing date the twenty-third day of August, one thousand seven hundred and ninety-one, and to make (and they did accordingly make) such alterations in the road from Beausejour to Palmiste Estate, as to them should, and did seem necessary ; and it was by the same now reciting Act declared, that the said road, so to be made, should be taken and deemed to be a public road ; And whereas, it having been found for the benefit of the public to alter part of the second-mentioned road, leading through Caliviny and Clarke’s Court Estates, it was, in, and by the fifth Clause of the said Act, bearing date the twenty-sixth day of December, one thousand seven hundred and ninety-six, enacted, that that part of the road, beginning at the ravine, which crossed the public road at the West end of Caliviny negro-houses, and ascending at the rate of six per centum to the left of the former road till it reached the boiling-house of the old works of the said estate, thence going nearly on a level, or descending at the rate of one per centum, for one thousand eight hundred and fifty feet, then rising at from one half to two and a half per centum for one thousand eight hundred and forty feet, where it crosses the line of Caliviny and Clarke’s Court Estates, and proceeding nearly on a level for about nine hundred feet further, till it joins the former road, should be, and was thereby declared to be the public road ; And whereas, that part of the said second-mentioned road, in the Parish of Saint David, leading from the River Saint Louis, to the sugar works belonging to Westerhall Estate, being exceedingly steep and inconvenient, it was, in, and by the said Act, bearing date the twenty-sixth day of May, one thousand eight hundred and twenty-eight, enacted, that the Road Commissioners for the Parish of Saint David, or their successors, should be, and were thereby authorized and required to open the trace, commencing at the west side of the river Saint Louis, and leading thence by the best possible trace to the south of the said works, until it should again join the public road, at, or near where the shipping road of the said estate branches off, and which trace, when completed, should be, and was thereby declared to be a part of the public road, and to be repaired, and kept in repair, in the same manner as the other public roads of the Colony ; And whereas, the same trace was opened and completed accordingly ; And whereas, in, and by the second Clause of the said Act, bearing date the twenty-third day of August, one thousand seven hundred and ninety-one, the majority of the then respective Commissioners of the respective Parishes of Saint Andrew and Saint Patrick, were thereby, respectively, authorized and required, upon the application and expence therein mentioned, to lay out the road next hereinafter specified, running in the direction, course, and trace next hereinafter described, that is to say, “ from the north side of the great river Saint Andrew, in the pasture of the estate of Paradise, through that estate, in the present trace, until it shall have passed the river Simon, in the pasture of Simon estate, the property of the heirs of Bourryeau, and from thence to ascend at three per cent., for the space of three hundred yards, to enter into the cane land of the Lower Pearl estate, and to continue to the eastward of the present road, through that nearly on a level to the present ford of the river Sorieau ; to cross that ford, and then to pass to the west of the new Pearl buildings, to a saddle or ridge north of the windmill of that estate, to follow the contour of the hill, and pass by the hospital of the Upper Conference estate, and from thence to the bamboos growing in a ravine nearly in the same line, between the Carriere and Thro

Road leading from Beausejour to Palmiste bay.

Road leading through Caliviny and Clarke’s Court Estates, partly altered.

Part of the road in Saint David’s Parish, leading from river Saint Louis, to works of Westerhall Estate, altered.

Road from North side of Great river Saint Andrews, through Paradise Estate, by river Simon, thence to

Lower Pearl Estate.

River Sorieau.

Pearl buildings.

Windmill of that Estate.

Hospital of Upper Conference Estate.

estates, to cross that ravine, and pass through the cane land of the Tivoli estate, and partly in the present road, in the best direction, till it comes out of the cane land near to a Calabash tree in the corner of the pasture of the said estate; thence to continue in the best possible direction through the Observatory, River Antoine, and Point estates, to the river Calabash: to cross that river, and join the lower public road, near the said river, on the estate of the Marquis De Cauzand;" and by the now reciting Act, it was declared that as soon as the said road should be completely made, in each Parish, respectively, the majority of the respective Commissioners, for the said respective Parishes of Saint Andrew and Saint Patrick, should, and they were thereby required to declare the same to be a public road, and should certify the same, under their hands and seals, in the manner following, that is to say, the Commissioners of the Parish of Saint Andrew, or a majority of them, should certify that so much of the said road, as should pass through their Parish, had been completely made, and was from thenceforth to be deemed and taken to be a public road, of the said Parish; and the Commissioners for the Parish of Saint Patrick, or a majority of them, should, in like manner, certify that so much of the said road as should pass through their Parish, had been completely made, and was from thenceforth to be deemed and taken to be a public road, of the said Parish; and should return the said certificates into the Secretary's Office, to the end that the same may be there preserved and recorded, and to serve as sufficient evidence in all Courts of this Island, of the traces therein described, being public roads, in the said respective Parishes, and from thenceforward the said road should be repaired and kept in repair at the expense of the said Island of Grenada, in the same manner as the other public roads, in the said Island, are therein directed to be repaired and kept in repair; And whereas, in and by the second Clause of the said Act, bearing date the twenty-sixth day of December, one thousand seven hundred and ninety-six, that part of the said second Clause of the said last mentioned Act, describing the trace from the corner of Tivoli pasture, until it joined the public road at the Marquis De Cauzand's estate, was repealed, and by the third Clause of the now reciting Act, it was enacted, that the road then open from the corner of Tivoli pasture, passing under the arch of the canal of the said estate, from thence through Belmont, the Hermitage, Mount Rich, and Belvidere estates, until it reached a clump of bamboos, upon Morne Fendue estate, from thence a trace to be opened, to run to the right of the then road, and thence in a cane-piece, belonging to the said estate, and another belonging to Snell Hall estate, and to join the then road, near the canal, in the pasture of Snell Hall estate, should from thenceforth be deemed and declared to be a public road, and should be repaired and kept in repair, in the same manner as the other public roads in the said Island were directed to be repaired and kept in repair; And whereas, in, and by the twentieth Clause of the said Act, bearing date the twenty-third day of August, one thousand seven hundred and ninety-one, the Commissioners, or a majority of them, for the respective Parishes, through which the roads thereafter described should run, were authorized and required, upon the application, and at the expense therein mentioned, to lay out (and they did accordingly lay out) the several (private) roads next thereafter specified, running in the several directions, courses, or traces therein next after described, and amongst others, the following; that is to say, "A road from the Town of Saint Patrick, in the Parish of Saint Patrick, to pass through the estates of Mount Craven, Marli, Louis Popin, Esquire, and the Samaritan estate, in such direction as the Commissioners, for the said Parish of Saint Patrick, or a majority of them, should judge proper, until it should join the river Duquesne, opposite the works of the Union estate, in the Parish of Saint Mark, and from thence to continue on the Saint Mark's side of the river Duquesne, through the lands of the Union estate, of Clozier D'Arcueil, Samuel Sandbach, and Alexander Stewart, Esquires, to the bay of Duquesne; And whereas, in,

Between Carriere and Tivoli Estates.

Through Observatory, River Antoine, and Point Estates, to River Calabash. Lower public road near river on the estate of the Marquis DeCauzand.

Trace of last mentioned road from corner of Tivoli pasture, until it joined public road at Marquis DeCauzand's estate, altered.

Road from Town of Saint Patrick through Mount Craven, Marli, and Samaritan Estates, to the junction of River Duquesne, opposite the Union works,

to Duquesne Bay.

and by the tenth Clause of the said Act, bearing date the sixteenth day of April, one thousand eight hundred and twelve, the said last-mentioned road, from the Town of Saint Patrick, and passing through the estates last-mentioned to Duquesne bay, aforesaid, is declared to be a public road: And whereas, by a heavy flood and inundation which took place, in the month of October, one thousand eight hundred and nineteen, part of the said last-mentioned public road, leading through Duquesne Valley, opposite to the Sugar works of Duquesne estate, was entirely swept away, and it was found impracticable to repair the same, which made a new trace necessary, and the Commissioners of the Parish of Saint Patrick, after an actual survey, being of opinion that the following would be the most eligible trace, that is to say, to strike off a little above where the road crossed the canal of Resource estate, pass through a corner of a cane-piece of the said estate, cross the canal of the same, pass through a small part of the land of Duquesne estate, and join the road at a small ravine, a little lower down, agreeably to a diagram made out by a sworn surveyor, it was, in, and by the first Clause of the said Act, bearing date the twenty-eighth day of November, one thousand eight hundred and twenty-one, enacted, that the Road Commissioners, for the Parish of Saint Patrick, or their successors, should be, and were thereby authorized and directed to open the said trace, therein and hereinbefore described, and to keep the same in repair, when completed, and also to contract with, and employ workmen, to build such bridge or bridges as might be necessary, across the canal of Resource estate, and the before mentioned ravine; and in, and by the second Clause of the now reciting Act, it was enacted, that such portion of the road thereby directed to be made and completed, as was to run through the aforesaid Resource estate should be kept up and in repair by the statute labour of the Parish of Saint Patrick, and the arches or bridges of mason work, or otherwise, to be raised and built over the canal of that estate, should be, from time to time, repaired, as occasion might require, and kept in secure repair, at the public expense; And whereas, in and by the first Clause of the said Act, bearing date the twenty-sixth day of December, one thousand seven hundred and ninety-six, it was enacted, that the cart-road, through Revolution Hall estate, to Florida Sugar works, should be considered and deemed a public road, from thence to cross the river at an ascent of ten per centum, till it should fall into the road leading through lands then lately possessed by Pierre Boudon, from thence through lands then lately the property of Gerbet Dumont, at thirteen per cent., till it should reach the first Morne Fendue, and at three and a half per cent., to the junction of the road with that leading to St. Francois, till it should come to the river Gouyave, and from thence at ten per cent., until it should fall into the public road, at the rivulet, to the eastward of Mount Saint John, and from thence in the best possible trace till it should join the Grand Etang road, in the Parish of Saint Andrew; And whereas, in and by the said Act, bearing date the sixth day of July, one thousand eight hundred and twenty-four, the road leading through the Beausejour valley, from the point where it leaves the public road, at a ford near the works of Beausejour estate, unto where it joins the Grand Etang road, near the third mile-stone at Snug Corner, was declared to be a public road, and should be repaired, and kept in repair, as other public roads and highways in the Colony; And whereas, in, and by the said Act, bearing date the twenty-third day of August, one thousand seven hundred and ninety-one, the following roads only, which are hereinafter specified, running in the several directions, courses or traces thereinafter described, were declared to be the public roads and highways in and through the Island of Carriacou, to be made, repaired and kept in repair at the expense of the said Island, that is to say—"A road beginning at the south end of the Town of Hillsborough, in the Island of Carriacou, to run on a level through the estate of William Young, Esquire, and adjoining the King's fifty paces, from thence through Lauriston estate, the estates of

Last mentioned
road altered.

Cart road through
Revolution Hall Es-
tate, to Florida
works, across the
river.

Till it reaches the
first Morne Fendue
to Saint Francois,
thence to river Gou-
yave, to the public
road eastward of
Mount Saint John,
thence to Grand
Etang road.

Road from Beause-
jour valley to Snug
Corner.

Roads in Carriacou.

Pegus and Genette, Messrs. Latour and Belmar, as far as L'Estern bay, from thence to ascend at two per cent., until it joins the present road on the line between Belmar's and Madame Antoine's, and to be continued in a level through the estate belonging to the heirs of the deceased Janette Philip and John Anthony Ruckie, as far as Tyrell's bay; and from thence to ascend at two per cent. on the line between the estates of Mr. Ruckie, and the heirs of Joseph Cumings, deceased; and to be continued through the estate belonging to the heirs of Mr. Cumings, the estates of Madame Maxwell, Mons. Du Vivier, Mons. Mogailas, Dumfries estate, the heirs of Sabazan, Messrs. Robertson and David Mill, to the battery on that estate, agreeable to the trace laid down on the plan of Carriacou, by Walter Fenner, and from thence to descend to the beach of Mount Pleasant, at the rate of two per cent., and to be continued through that estate, Limlair, the estate of Joseph De St. Hilaire, the church land, the estate belonging to the heirs of Monsieur Peletier, deceased, the estate of John Bell, Jean Martineau, the Petite Carenage estate, L'Ance La Roche, Prospect, Constitution Hill, Craigston, Beausejour, and to be continued through Beausejour, adjoining the King's fifty paces, to the north end of the Town of Hillsborough, agreeable to the traces marked out in the aforesaid plan of Walter Fenner; also, a road leading from the great pond at La Bay a L'eau, through St. Hilaire's estate, Limlair, Meldrum, Belvidere, Constitution Hill, until it forms a junction with the high road formerly described, on Constitution Hill; and, lastly, a road from the Town of Hillsborough, in an eastward direction, through Brunswick estate, and the estates of John Boyce and William Todd, Esquires, until it forms a junction with the road formerly described at British Bay, agreeable to the trace laid down in the aforesaid plan;" And whereas, in and by the said Act, bearing date the twentieth day of May, one thousand eight hundred and twenty-eight, the following roads also were declared to be public roads, in and of the said Island of Carriacou, to all intents and purposes, whatsoever, namely:—First—A road leading from the orchard of Beausejour estate, on through part of the said estate, part of Craigston, Bellevue and Belair estates, to the pond upon the latter property, and that descending thence through Belvidere estate, intersects the public road below the dwelling-house thereon, and leaving which, proceeds through Meldrum, Experiment, and Orange Vale estates, until it joins the present public road, upon the said last-mentioned estate;—Second—A road, which, commencing at the corn-mill, upon the beach of Mount Pleasant estate, passes through that property, to the end of the cocoa-nut walk thereon, and thence, through Bellevue estate, until it terminates at the public road, near the pond upon the latter estate;—Third—A road commencing at the beach, upon Grand Bay estate, proceeding through the said estate, and over part of Beausejour Hall, and that passing near the dwelling-house thereon, and through part of Beausejour and Prospect Hall estates, terminates at its junction with the public road, upon Brunswick estate;—Fourth—A road running through part of Dumfries, Balance and Friendship estates, successively to the negro-houses upon DeCran estate, and through the gully below, as also Mount Posa and Bellevue estates to Bartholomew's neck, turning thence through Mount Posa estate, and proceeding along the line of Harvey Vale, Industry, and Grand Ance estates, until it joins the public road at the bay-store of the latter estate," and should be repaired, and kept in repair, by the statute labour of the said Island of Carriacou: And whereas, the foregoing recited several and respective roads and traces of roads as originally formed and made or traced, or as any of them have been, from time to time, or at any time, and in the manner hereinbefore recited, altered or re-traced, are, respectively, at the time of the passing of this Act, the public highways, in, of, and through the said Islands of Grenada and Carriacou, respectively, and it is requisite to revive and to continue the same, under the authority of this Act: Be it, therefore, enacted, that the said recited several and respective public roads

The said several and respective roads, &c., as ori-

ginally formed and traced, or as any of them have been altered or retraced as aforesaid, are declared, &c., revived and continued to be the public highways. and highways, as the same respectively were originally formed or made and traced, or as any of them have, from time to time, or at any time, and in the manner aforesaid, been altered or re-traced, and described, as aforesaid, and which, at the time of the passing of this Act, were the public roads and highways, shall be, and the same, respectively, are hereby revived and continued so to be, and shall be repaired, and kept in repair, accordingly, under the provisions of this Act.

Clause XXXIV.
[Recites Act, since
expired.]

And be it enacted, That nothing herein contained shall be construed to repeal an Act passed by the Legislature, in the year one thousand eight hundred and forty-five, intituled, "An Act to appoint Overseers of Roads, and to enable Commissioners of Roads to enter into Contracts, for the repairs of Roads," which Act, pending the duration thereof, shall be construed herewith as one Act.

No. CXXXV.

An Act to alter and amend an Act, intituled "An Act to promote and encourage Steam Navigation between this Island and Great Britain, for conveyance of mails and passengers. [July 11, 1846.]—Left to its operation by Order in Council, dated 19th December, 1846.

Preamble.

WHEREAS, by certain Acts of the Legislature of Grenada, certain tonnage, harbour and water duties are payable on the registered burthen of vessels clearing at the Custom-House, and on the importation of certain Goods into these Islands; And whereas, an Act was passed by the Legislature of Grenada, in the year one thousand eight hundred and forty-one, intituled "An Act to promote and encourage steam navigation between this Island and Great Britain, for conveyance of mails and passengers," whereby it was enacted, that all steam vessels employed in carrying the mails between this and the surrounding Islands and places, should be permitted to enter the ports of this Island, and again to depart therefrom, and that all vessels employed in importing coals, for the use of the steam vessels, aforesaid, should be free and exempt from all tonnage and other fees, provided that proof be given that the coals so imported are solely for the use of the said steam vessels; And, whereas, the Royal Mail Steam Packet Company have established a Depôt for coals in Grenada, and it is expedient to repeal the prohibition contained in the said recited Act against, and to permit the sale of coals by such Company, for internal consumption, under certain regulations, and upon payment of the duties hereinafter mentioned:

Act, No. 97.

Clause I.
Royal Mail Steam
Packet Company
may sell coals im-
ported by them, on
payment of duty.

Be it, therefore, enacted, by the Governor, the Council and Assembly of the Island of Grenada and its Dependencies, and it is hereby enacted by the authority of the same, That it shall be lawful for the Royal Mail Steam Packet Company, at Grenada, to sell and dispose of coals there imported by them, upon payment of the duties hereinafter mentioned, which shall be levied on the actual quantity or tonnage of the coals sold or disposed of by them at Grenada, without reference to the tonnage of the ships or vessels in which such coals may have been imported.

Clause II.
Repealed by Act,
No. 152.

And be it enacted, that from and after the passing of this Act, it shall be lawful for the principal Officers of Her Majesty's Customs, and they are hereby required to demand and receive a duty at and after the rate of two shillings, sterling money of Great Britain, for each and every ton of coals which shall be sold by the Royal Mail Steam Packet Company for consumption in Grenada, or its Dependencies, which duty shall be appropriated and applied in the manner directed by the Act, intituled "An Act to repeal an Act intituled an Act to impose a duty on the tonnage of vessels entering at the Port of Saint George, in this Island, and to appropriate the money:

to be raised thereby, and for other purposes, and to substitute the provisions of this Act in lieu thereof."

And be it enacted, That it shall be lawful for the Public Treasurer, and he is hereby required, to demand and receive a duty, at and after the rate of six-pence, for each and every ton of coals which shall be sold by such Company for consumption, as aforesaid, which last mentioned duty shall be appropriated and applied in the same manner as the tonnage duty directed to be raised under the Act intituled, "An Act for raising a tonnage duty on all ships and vessels entering into and using the harbour of Saint George, for the purpose of clearing out and restoring the depth of the same, when it hath become shoaled, and keeping clean, and preserving such depth of it, in future, under direction of the Commissioners, for the time being, of that harbour."

Clause III.
Treasurer to demand a duty of six pence per ton of Coals sold by the said Company.
How duty to be applied.

And be it enacted, That from and after the passing of this Act, it shall be lawful for the Public Treasurer, and he is hereby required to demand and receive a further duty at and after the rate of six-pence, per ton, for each and every ton of Coals which shall be sold by the said Company, for consumption, as aforesaid, which last mentioned duty shall be subject to the like appropriation as the duty directed to be raised under the Acts for introducing a supply of water into the Town of Saint George, and for facilitating the watering of the shipping at the Port of Saint George.

Clause IV.
Treasurer to demand a further duty of sixpence per ton on coals sold by the said Company.
How to be applied.

And be it enacted, That from and after the passing of this Act, it shall be lawful for the Public Treasurer, and he is hereby required to demand and receive a duty, at and after the rate of three pounds, for every one hundred pounds of the real value of coals which shall be sold by such Company for consumption, as aforesaid, which last mentioned duty shall be subject to the like appropriation, as the other duties payable upon the importation of goods into Grenada.

Clause V.
Treasurer to demand a duty of 3 per cent., on value of coals sold by the said Company.
How to be applied.

Provided always, and be it enacted, That no coals shall be delivered under or by virtue of this Act, until after due entry thereof shall be made by the Superintendent or Agent of such Company, at Her Majesty's Customs, and the Public Treasury, and until payment of the duties hereby imposed on the quantity of coals from time to time sold or disposed of, in like manner as required by Law on the entry of vessels carrying cargo, liable to duty.

Clause VI.
No coals to be delivered under this Act, until entry made by agent of said Company, and payment of duties.
Vide Act, No. 152.

No. CXXXVI.

An Act for further improving the Police. [28th July, 1846.]

Vide Acts,
No. 140.
154.
179.
180.

WHEREAS, an Act was passed by the Legislature of Grenada, in the year one thousand eight hundred and thirty-six, intituled "An Act for establishing a Police, and to regulate the same;" And whereas, the system of Police established under the said Act hath been found efficient, and may yet be further improved:

Preamble.
Police Act of 1836,
No. 89.

Be it, therefore, enacted, by the Governor, the Council and the Assembly of the Island of Grenada and its Dependencies, and it is hereby enacted by the Authority of the same, that persons employed as Constables in this Colony shall be paid for their services at and after the following rates, that is to say, every Chief Constable in the Town of Saint George, five pounds five shillings per month; every other Constable employed in the same Town, four pounds ten shillings per month: every Chief Constable in the other Towns and Parishes of this Colony, five pounds five shillings per month, and every other Constable employed in the other Towns and Parishes aforesaid, four pounds per month: the said salaries to be paid monthly, at the Public Treasury, by order of the Justices, in Session, and to be in lieu of all fees whatsoever.

Clause I.
Rate of pay of Constables.

And be it enacted, That every person who shall knowingly take in ex-

Clause II.

Persons exchanging change from any Seaman, or other person, not being the owner or master with seamen any of any vessel, anything belonging to any vessel in any port, harbour, bay, thing belonging to or creek of this Colony, or any part of the cargo of any such vessel, or a vessel, or part of stores or articles in charge of the owner or master of any such vessel, shall cargo, &c., guilty of be deemed guilty of a misdemeanor.

Clause III.

Persons unlawfully cutting, &c., ropes, or destroy any of the ropes, cables, cordage, tackle, headfasts, or other the &c., of a vessel, furniture of, or belonging to, any ship, boat, or vessel, lying in any port, with intent to steal harbour, bay, or creek of this Colony, with intent to steal or otherwise unlawfully obtain the same, or any part thereof, shall be deemed guilty of a misdemeanor.

Clause IV.

Constable to take custody every person who, for the purpose of preventing the seizure or discovery of any materials, furniture, stores or merchandize, belonging to, person who, for preventing seizure of materials belonging to, and unlawfully obtained from any such ship or vessel, shall wilfully let fall, or throw into the sea, &c., and into the sea, &c., and throw the same in any other manner convey away from any ship, boat or vessel, wharf quay, or landing-place, any such article, or who shall be accessory to any such offence, and also to seize and detain any boat in which such person shall be, and every such person guilty of which such person shall be found, or out of which any article shall be so let fall, thrown, or conveyed away, and every such person shall be deemed misdemeanor.

Clause V.

Every person preventing any thing or preventing anything whatsoever from being seized on suspicion of its suspected of being being stolen, or otherwise unlawfully obtained, or of preventing the same stolen from being produced, or made to serve as evidence concerning any felony from being produced, or made to serve as evidence concerning any felony or misdemeanor committed, or supposed to be committed, within this or misdemeanor committed, or supposed to be committed, within this Colony, shall frame, or cause to be framed, any bill of parcels, containing any false statement in regard to the name or abode of any alleged vendor, the quantity or quality of any such thing, the place whence, or the conveyance by which the same was furnished, the price agreed upon, or charged for the same, or any other particular, knowing such statement to be false, or who shall fraudulently produce such bill of parcels, knowing the same to have been fraudulently framed, shall be deemed guilty of a misdemeanor.

Clause VI.

Any person found in any warehouse, store, landing-place, wharf, or quay, or on board any ship or vessel, having in his or her possession any tube, or other instrument, for the purpose of unlawfully obtaining any wine, spirits or other liquors, or &c., with tube, &c., for unlawfully obtaining any wine, spirits or other liquors, or having in his or her possession any skin, bladder, or other material or utensil, for the purpose of unlawfully secreting or carrying away any such wine, spirits, or other liquors, and any person who shall attempt unlawfully to obtain any such wine, spirits, or other liquors, shall be deemed guilty of a misdemeanor.

Clause VII.

Any person boring, cut open, or otherwise injure any cask, box, or package, containing wine, &c., any cask, &c., spirits, or other liquors, on board any ship, boat, or vessel, or in, or upon, containing wine, any ware-house, store, landing-place, wharf, or quay, with intent feloniously &c., with intent to steal, or otherwise unlawfully obtain any part of the contents thereof, or to steal or otherwise unlawfully obtain any part of the contents thereof, or who shall unlawfully drink, or wilfully spill, or allow to run to waste, any part of the contents thereof, shall be deemed guilty of a misdemeanor.

Clause VIII.

Any person causing broken, pierced, started, cut, torn, or otherwise injured, any cask, chest, to be broken, any bag or other package, containing, or prepared for containing, any goods, cask, &c., on board while on board of any boat or other vessel, lying in any port, harbour, bay, any vessel, or going or from any ware- or creek of this Colony, or on any wharf, quay, or landing-place, adjacent house, with intent to spill contents, to the same, or in the way to or from any ware-house, or store, with intent guilty of misdemeanor.

that the contents of such package, or any part thereof, may be spilled, or dropped from such package, shall be deemed guilty of a misdemeanor.

And be it enacted, That the Superintendent of Police shall have power, by virtue of his office, to enter at all times, with such Constables as he shall think necessary, as well by night as by day, into and upon every ship, boat, or other vessel (not being then actually employed in Her Majesty's service), lying in any port, harbour, bay, or creek of this Colony, and into every part of every such vessel, for the purpose of inspecting, and, upon occasion, directing the conduct of any Constable who may be stationed on board of any such vessel, and of inspecting and observing the conduct of all other persons who shall be employed on board of any such vessel in or about the lading or unlading thereof, as the case may be, and for the purpose of taking all such measures as may be necessary for providing against fire or other accidents, and preserving peace and good order on board of any such vessel, and for the effectual prevention and detection of any felonies or misdemeanors.

Clause IX.
Police Superintendent may at all times by day or night, enter with Constables any boat, &c., to inspect and direct conduct of Constables stationed on board thereof, and for prevention of fire, and preservation of the peace on board.
Vide Act, No. 89, Clause 11.

And be it enacted, That it shall be lawful for the Superintendent of Police, or any Chief Constable, having just cause to suspect that any felony has been, or is about to be, committed, in, or on board of, any ship, boat, or other vessel, lying in any port, harbour, bay, or creek of this Colony, to enter at all times, as well by night as by day, into and upon every such ship, boat, or other vessel, and therein to take all necessary measures for the effectual prevention or detection of all felonies, which he has just cause to suspect to have been, or to be about to be committed, in such port, harbour, bay, or creek, and to take into custody all persons suspected of being concerned in such felonies, and also to take charge of all property so suspected to be stolen.

Clause X.
Superintendent or Chief Constable, suspecting a felony on board any vessel, may at all times, enter to prevent same.

And be it enacted, That every person licensed to sell spirits and spirituous liquors, or any mixture thereof, by retail, who shall knowingly supply any such spirits, or liquors, or any mixture thereof, to any boy or girl, apparently under the age of twelve years, to be drunk on the premises, or to any person apparently in a state of intoxication, shall be liable to a penalty of not more than twenty shillings, and, upon conviction of a second offence, shall be liable to a penalty of not more than forty shillings, and, upon conviction of a third, and every subsequent offence, shall be liable to a penalty of not more than five pounds.

Clause XI.
Licensed retailers of spirits supplying spirit to boy or girl under 12 years of age, to be drunk on the premises, or to any person intoxicated, shall be fined.

And be it enacted, That every person who shall have or keep any house, shop, room, covered or uncovered place of public resort, wherein provisions, liquors or refreshments of any kind shall be sold or consumed (whether the same shall be kept or retailed therein, or procured elsewhere), and who shall wilfully or knowingly permit drunkenness or other disorderly conduct in such house, shop, room, or place, or knowingly suffer any unlawful games, or any gaming whatsoever therein, or knowingly permit or suffer prostitutes, or persons of notoriously bad character, to meet together and remain therein, shall, for every such offence, be liable to a penalty of not more than five pounds.

Clause XII.
Punishment for persons keeping disorderly houses or places of public resort, or permitting gaming therein, or prostitutes to meet there.

And be it enacted, That every person who shall keep, or use, or act in the management of any house, room, pit, or other place, for the purpose of fighting or baiting cocks, dogs, or other animals, shall be liable to a penalty of not more than five pounds, or in the discretion of the convicting Magistrate, may be committed to the common Gaol, with or without hard labor, for a time not more than one calendar month, and it shall be lawful for any Justice of the Peace, by order, in writing to authorize the Superintendent of Police, or any Chief Constable, with such Constables as he shall think necessary, to enter into any premises, kept or used for any of the purposes aforesaid, and take into custody all persons who shall be found therein without lawful excuse, and every person so found, shall be liable to a penalty of not more than five shillings, and a conviction under this Act, of this offence, shall not exempt the owner, keeper or manager of any such house, room, pit or place, from any penalty or penal consequence to which he may be liable for the nuisance thereby occasioned.

Clause XIII.
Punishment for persons permitting cock-fighting, &c., in any house, &c.

Justice of Peace may order persons found therein to be apprehended.

Clause XIV.
Superintendent or
Chief Constable re-
porting to Justice,
grounds of belief of
any house being a
gaming-house, and
two or more house-
holders making
oath,—how Justices
to proceed in re-
gard thereto.

And be it enacted, That if the Superintendent of Police, or any Chief Constable shall report, in writing, to any two or more Justices of the Peace, that there are good grounds for believing any house or room to be kept or used as a common gaming house, and if two or more householders, dwelling in or near the district shall make oath, in writing, to be by them taken and subscribed before a Justice of the Peace, and annexed to the said report, which oath every Justice is hereby empowered to administer and receive, that the premises complained of by such Superintendent or Chief Constable, are commonly reported and are believed by the deponents to be kept or used as a common gaming house, it shall be lawful for any two such Justices, by order in writing, to authorize the Superintendent of Police, or any Chief Constable, to enter any such house or room, with such Constables, as shall be directed by such Justices to accompany him, and if necessary to use force for the purpose of effecting such entry, whether by breaking open doors, or otherwise, and to take into custody all persons who shall be found therein, and to seize and destroy all tables and instruments of gaming found in such house or premises, and also to seize all monies and securities for money found therein, and the owner or keeper of the said gaming house, or other person having the care and management thereof, and also every banker, croupier, and other persons who shall act in any manner in conducting the said gaming house, shall be liable to a penalty not more than fifty pounds, or in the discretion of any two or more Justices of the Peace, before whom he shall be convicted of the offence, may be committed to the Common Gaol, with or without hard labour, for a time not more than three calendar months, and upon conviction of any such offender, all the monies and securities for monies which shall have been seized as aforesaid, shall be paid to the Public Treasurer, to be applied to the Public uses of this Colony, and every person found in such premises, without lawful excuse, shall be liable to a penalty not more than five pounds; Provided always, That nothing herein contained shall prevent any proceeding, by indictment, against the owner, or keeper, or other person having the care or management of any gaming house, but no person shall be proceeded against, by indictment, and also under this Act, for the same offence.

Clause XV.
Not necessary, in
support of informa-
tion for gaming, to
prove that any per-
son was playing for
money.

And be it enacted, That it shall not be necessary, in support of any information for gaming, or suffering any games, or gaming in, or for keeping or using, or being concerned in the management or conduct of a common gaming-house, under this Act, to prove that any person found playing at any game, was playing for any money, wager, or stake.

Clause XVI.
Shopkeepers taking
in exchange from
any laborer, &c., any
metal, to enter same
in a book, with cer-
tain particulars,
such book to be
produced to Public
Treasurer before
clearing any vessel
having any such
metal on board for
exportation.

And be it enacted, That every shopkeeper or trader, residing in this Colony, who shall purchase, or take in exchange of, or from, any laborer, or other person, in this Colony, any brass, pewter, tin, copper, or other metal, not being of the current coin of this Colony, shall make, or cause an entry to be made, in some book of account, or other book to be kept by such shopkeeper or trader for that purpose, of the name of the vendor, and of the Town or Parish and usual place of abode of such vendor, the quantity or weight, and nature of the article purchased or taken in exchange, the place whence the same was procured, or alleged to be procured by such vendor, the price or equivalent paid or given for the same, and the date of such purchase or exchange, which book of account, or other book, shall be produced to the Public Treasurer, before clearing any vessel having any such article on board, for exportation, and shall also be produced to the Superintendent of Police, or any Chief Constable, at all reasonable hours of the day, when he shall require the same to be produced or shown to him; and if any such shopkeeper or trader shall purchase, receive, or take in exchange of, or from any laborer, or other person in this Colony, any brass, pewter, tin, copper, or other metal, not being of the current coin, aforesaid, without making, or causing such entry to be made in some such book as aforesaid, or shall knowingly make or cause any false entry to be made, in any such particular, as aforesaid, or shall refuse to produce any

And same to be pro-
duced to Superin-
tendent or Chief
Constable when re-
quired.

Punishment on
omission.

such book to be inspected by such Superintendent or Chief Constable, when thereunto required by him, as aforesaid, every such person so offending, shall be deemed guilty of a misdemeanor.

And be it enacted, That every person shall be liable to a penalty not more than forty shillings, who shall in any thoroughfare, street, highway, or public place commit any of the following offences :

1.—Every person who shall, to the annoyance of the inhabitants or passengers, expose for show or sale (except in a market lawfully appointed for that purpose), or feed, tether or fodder any horse, or other animal, or turn loose or suffer to be at large, any sheep, goat, horse, mule, ass, ox, or other animal, or suffer to be at large any unmuzzled ferocious dog, or set on, or urge, any dog or other animal to worry or put in fear any person, horse, or other animal.

Clause XVII.
Forty shillings penalty for the following offences in any street, &c.
Horses, Cattle, &c., loose or tethered, or any unmuzzled ferocious Dog.

2.—Every person who, by negligence or ill usage in driving cattle, shall cause any mischief to be done by such cattle, or who shall in any wise misbehave himself in the driving, care, or management of such cattle, and also every person not being hired or employed to drive such cattle, who shall wantonly and unlawfully pelt, drive, or hunt any such cattle.

Negligent driving of Cattle.
Vide Act, No. 89, Clause 10.

3.—Every person having the care of any cart or carriage, who shall ride on any part thereof, on the shafts, or on any horse, or other animal drawing the same, without having and holding the reins, or who shall be at such a distance from such cart or carriage, as not to have the complete control over every horse, or other animal drawing the same.

Riding on shaft of carriage, or on horse drawing carriage without holding reins.

4.—Every person who shall ride or drive furiously, or so as to endanger the life or limb of any person, or to the common danger of the passengers in any thoroughfare.

Furious driving or riding.
Vide Act, No. 89, Clause 16.

5.—Every person, who by means of any cart, carriage, truck, or barrow, or any horse or other animal, shall wilfully interrupt any public crossing, or wilfully cause any obstruction in any thoroughfare.

Cart, &c., interrupting public crossing.

6.—Every person who, without the consent of the owner or occupier, shall affix any posting bill, or other paper, against or upon any building, wall, fence, or pale, or write upon, soil, deface or mark any such building, wall, fence, or pale, with chalk or paint, or in any other way whatsoever, or wilfully, break, destroy, or damage any part of any such building, wall, fence, or pale, or any fixture or appendage thereunto, or any tree, shrub, fence, pale, or seat in any public market, churchyard, or walk.

Posting bills, &c., against buildings, &c., chalking or painting or damaging buildings, walls, &c.

7.—Every common prostitute or night-walker, loitering or being in any thoroughfare, or public place, for the purpose of prostitution or solicitation, to the annoyance of the inhabitants or passengers.

Prostitutes.

8.—Every person who shall sell, or distribute, or offer for sale or distribution, or exhibit to public view, any profane, indecent, or obscene book, paper, print, drawing, painting, or representation, or sing any profane, indecent, or obscene song or ballad, or write or draw any indecent or obscene word, figure, or representation, or use any profane, indecent, or obscene language, to the annoyance of the inhabitants or passengers.

Selling or distributing, or exhibiting obscene books, &c.,—or singing profane or obscene ballads, &c.,—or using obscene language.

9.—Every person who shall use any threatening, abusive, or insulting words or behaviour, with intent to provoke a breach of the peace, or whereby a breach of the peace may be occasioned.

Using threatening or insulting words to provoke breach of the peace.

10.—Every person who shall wantonly discharge any fire-arms, or throw or discharge any stone, or other missile, to the damage or danger of any person, or make any bonfire, or throw, or set fire to any firework.

Discharging fire-arms, or throwing stones, &c.,—fire works.
Vide Act, No. 89, Clauses 17 and 18.

11.—Every person who shall wilfully and wantonly disturb any inhabitant, by pulling or ringing any door-bell, or knocking at any door, without lawful excuse, or who shall wilfully and unlawfully extinguish the light of any lamp.

Door bell-ringing.—Extinguishing lamps.

12.—Every person who shall fly any kite, or play at any game to the annoyance of the inhabitants or passengers.

Flying Kites or playing games.
No. 134, Clause 11.

13.—Every person who shall be found assembled for the purpose of gaming.

Persons assembled for gaming.

Any Constable may, without warrant, take into custody persons so offending within view.

Clause XVIII.
Discharging fire-arms, beating drums, or playing noisy instruments at night.
Vide Act, No. 89, Clause 18.

Clause XIX.
Dancing, or other noisy diversions, between twelve o'clock Saturday night, and six o'clock Monday morning.
Vide Act, No. 89, Clause 23.

Clause XX.
Drunk in the streets and guilty of riotous or indecent behaviour, or found lying drunk in streets.

Clause XXI.
Persons in streets, guilty of the following offences, to be fined 40s.

Emptying any privy between six in the morning and eight in the evening.
Throwing dead carcase in the street.

Spilling any matter in the removal thereof.
Vide Act, No. 84, Clause 6.
Occupiers of houses in any Town not keeping drains clean.
Vide Act, No. 84, Clause 4.

Projections from any window, &c., to annoyance of thoroughfare.

Clause XXII.
Constable to destroy suspected dogs, and other animals.
Owners of such dogs, &c., permitting them to be at large, to be fined.

Clause XXIII.
Every person, by committing any offences herein for-

And it shall be lawful for any Constable to take into custody, without warrant any person who shall commit any such offence within view of any such Constable.

And be it enacted, That no person, other than persons acting in obedience to lawful authority, shall discharge any gun, pistol, or other fire-arm, or beat any drum, or play upon any noisy instrument, within this Colony, or on board of any ship, boat, or vessel, lying in any port, harbour, bay, or creek, of this Colony, between the hours of ten o'clock on Saturday night, and six o'clock on Monday morning, and every person who shall discharge, or beat, or play upon, or aid, abet, assist, or take part in discharging, beating, or playing upon any such gun, pistol, fire-arm, drum, or instrument, shall be liable to a penalty of not more than forty shillings.

And be it enacted, That no person shall dance, or join in any noisy and disorderly diversion, in any place within this Colony, or on board of any ship or vessel lying in any port, harbour, bay or creek of this Colony, between the hours of twelve o'clock on Saturday night and six o'clock on Monday morning, and every person who shall dance, or join in any noisy and disorderly diversion, between the hours aforesaid, shall be liable to a penalty not more than forty shillings.

And be it enacted, That every person who shall be found drunk in any street, or public thoroughfare, and who, while drunk, shall be guilty of any riotous or indecent behaviour, and also every person who shall be found lying drunk in any street, highway, or public thoroughfare, shall be liable to a penalty of not more than forty shillings, for every such offence, and in case of non-payment, may be committed by the Justices, before whom he shall be convicted, to the common gaol, for any time not more than seven days.

And be it enacted, That every person who, in any street or public place, shall be guilty of any of the following offences, shall be liable to a penalty not more than forty shillings, for every such offence, that is to say :

1.—Every person who shall empty, or begin to empty, any privy between the hours of six in the morning and eight in the evening, or who, between the said hours, shall remove along any thoroughfare, any night soil, or other offensive matter, or who shall wilfully throw, cast or place any dead carcase, or any such matter in any street or thoroughfare, or who shall wilfully or carelessly slop or spill any such matter in the removal thereof, or who shall not carefully clean every place in which such offensive matter shall have been placed, slopped, or spilled.

2.—Every occupier of a house, or other tenement in any Town, who shall not keep sufficiently cleaned all private drains, in and adjoining to the premises occupied by him, and if any tenement be empty, or unoccupied, the owner thereof shall be deemed the occupier, with reference to this enactment.

3.—Every person who shall set up or continue any pole, blind, awning, line, or any other projection, from any window, parapet, or other part of any house, shop, or building, so as to cause any annoyance or obstruction in any thoroughfare.

And be it enacted, That it shall be lawful for any Constable to destroy any dog, or other animal, reasonably suspected to be in a rabid state, or which has been bitten by any dog, or animal, reasonably suspected to be in a rabid state, and the owner of any such dog or animal, who shall permit the same to go at large, after having information, or reasonable ground for believing it to be in a rabid state, or to have been bitten by any dog or other animal in a rabid state, shall be liable to a penalty not more than five pounds.

And be it enacted, That every person who, by committing any offence herein forbidden, shall have caused any hurt or damage to any person or property, may be apprehended with or without any warrant, by any con-

stable, and if he shall not, upon demand, make amends for such hurt or damage, to the satisfaction of the person aggrieved, he shall be detained by the Constable, in order to be taken before a Justice of the Peace, and upon conviction, before two or more Justices of the Peace, shall pay such a sum, not more than ten pounds, as shall appear to such Justices to be reasonable amends to the person aggrieved, besides any penalty to which he may be liable for the offence, and the evidence of the person aggrieved shall be admitted in proof of the offence; Provided always, that if the person aggrieved shall have been the only witness examined in proof of the offence, the sum ordered as amends shall be paid and applied in the same manner as a penalty.

And be it enacted, That it shall be lawful for any Constable, and for all persons whom he shall call to his assistance, to take into custody, without warrant, any person who, within view of any such Constable, shall offend in any manner against this Act, and whose name and residence shall be unknown to such Constable, and cannot be ascertained by such Constable.

Clause XXIV.
Any Constable may take into custody, without warrant, any person within view offending against this Act, whose name, &c. unknown.

And be it enacted, That it shall be lawful for any Constable to take into custody, without a warrant, all loose, idle, and disorderly persons, whom he shall find disturbing the public peace, or whom he shall have good cause to suspect of having committed, or being about to commit, any felony, misdemeanor, or breach of the Peace, and all persons whom he shall find, between sunset, and the hour of eight in the morning, lying or loitering in any highway, yard, or other place, and not giving a satisfactory account of themselves.

Clause XXV.
Any Constable may without warrant take into custody loose and disorderly persons, &c.

And be it enacted, That it shall be lawful for any Constable to take into custody, without warrant, any person who shall be charged by any other person with committing any aggravated assault, in every case in which such Constable shall have good reason to believe that such assault has been committed, although not within view of such Constable, and that by reason of the recent commission of the offence a warrant could not have been obtained for the apprehension of the offender.

Clause XXVI.
Any Constable may, without warrant, take into custody persons committing aggravated assault, although not within view.

And be it enacted, That any person found committing any offence punishable either upon indictment or as a misdemeanor, upon summary conviction by virtue of this Act, may be taken into custody, without warrant, by any Constable, or may be apprehended by the owner of the property on, or with respect to which, the offender shall be committed, or by his servant, or any person authorized by him, and may be detained until he can be delivered into the custody of a Constable, to be dealt with according to Law, and every such Constable may also stop, search, and detain any vessel, boat, canoe, cart, or carriage, in or upon which there shall be reason to suspect that anything stolen or unlawfully obtained may be found, and also any person who may be reasonably suspected of having, or conveying, in any manner, anything stolen or unlawfully obtained, and any person to whom any property shall be offered to be sold, pawned, or delivered, if he shall have reasonable cause to suspect that any such offence has been committed, with respect to such property, or that the same, or any part thereof, has been stolen, or otherwise unlawfully obtained, is hereby authorised, and, if in his power, is required to apprehend and detain, and, as soon as may be, to deliver such offender into the custody of a Constable, together with such property, to be dealt with according to Law.

Clause XXVII.
Persons committing offence, punishable on summary conviction, may be taken into custody by Constable without warrant—or apprehended by owner of property aggrieved.

Constable may stop and search suspected vessels, carts, &c.,—and suspected persons.

And be it enacted, That it shall be lawful for any Constable to stop and detain, until an enquiry can be made, any furniture, and also any cart, carriage, boat, or canoe, which he shall find employed in removing the furniture of any house, or lodging, between the hours of six in the evening, and six on the following morning, or whenever the Constable shall have good grounds for believing that such removal is made for the purpose of evading the payment of rent.

Clause XXVIII.
Constable may stop and detain, until inquiry, any furniture, and any cart, &c., employed in removing furniture, at night.

And be it enacted, That whenever any person having charge of any

Clause XXIX.

Person in charge of any horse, cart, &c., and taken into custody under this Act, the Constable to take charge of such horse, cart, &c.

horse, cart, carriage, canoe, or boat, or any other animal or thing, shall be taken into the custody of any Constable, under the provisions of this Act, it shall be lawful for any Constable to take charge of such horse, cart, carriage, canoe, or boat, or such other animal or thing, and to deposit the same in some place of safe custody, as a security for payment of any penalty to which the person having had charge thereof may become liable, and for payment of any expenses which may have been necessarily incurred for taking charge of and keeping the same, and it shall be lawful for the Justice or Justices of the Peace, before whom the case shall have been heard, to order such horse, cart, carriage, canoe, or boat, or such other animal or thing, to be sold, for the purpose of satisfying such penalty and reasonable expenses in default of payment thereof, in like manner as if the same had been subject to be distrained, and had been distrained, for the payment of such penalty and reasonable expenses.

Clause XXX.
Persons taken into custody, without warrant, to be forthwith taken before a Justice of Peace, or to nearest Station House.

And be it enacted, That every person taken into custody, by any Constable, without warrant, except persons detained for the mere purpose of ascertaining their name or residence, shall be forthwith taken before a Justice of the Peace, or delivered into the custody of the Constable in charge of the nearest Station-house, in order that such person may be secured, until he can be brought before a Justice of the Peace, to be dealt with according to Law.

Clause XXXI.
Punishment for misdemeanors, under this Act, for which no special penalty appointed.

And be it enacted, That for every misdemeanor, or other offence against this Act, for which no special penalty is herein before appointed, the offender shall, at the discretion of the Justices before whom the conviction shall take place, either be liable to a penalty not more than five pounds, or be imprisoned for any time not more than one calendar month in the Common Gaol.

Clause XXXII.
Nothing herein to prevent persons being indicted for offence, punishable on summary conviction by this Act, or any other Act. No person to be punished twice for the same offence.

Provided always, and be it enacted, That nothing herein contained shall be construed to prevent any person from being indicted for any indictable offence made punishable on summary conviction by this Act, or to prevent any person from being liable, under any other Act or Acts, to any other or higher penalty, or punishment, than is provided for such offence by this Act, so, nevertheless, that no person be punished twice for the same offence.

Clause XXXIII.
Two or more Justices of Peace may summarily convict.

And be it enacted, That any two or more Justices of the Peace shall be empowered summarily to convict any person charged with any offence against this Act, on the oath of one or more witnesses, or by his own confession, and to award the penalty or punishment herein provided for such offence.

Clause XXXIV.
Proceedings on non-payment of pecuniary penalties.

And be it enacted, That in every case of the adjudication of a pecuniary penalty or amends under this Act, and nonpayment thereof, it shall be lawful for the convicting Justices to commit the offender to the Common Gaol for a term not more than one calendar month, where the sum to be paid shall not exceed five pounds, the imprisonment to cease on payment of the sum due and the costs for the recovery thereof, and so much of every such pecuniary penalty, as shall not be awarded to the informer, or other person who have contributed to the conviction, shall be paid to the public Treasurer, for the public uses of the Colony, and the residue thereof, under direction of the Justices, by whom the same shall have been adjudged, shall be paid and applied either to the use of the informer alone, or to the use of such persons as shall have contributed to the conviction of the offender, in such shares and proportions as such Justices shall think fit.

Clause XXXV.
Interpretation Clause.

And be it enacted, That in the construction of this Act, unless there be something in the context repugnant thereunto, any word denoting the singular number or the male sex shall be taken to extend to any number of persons or things, and to both sexes.

Clause XXXVI.
This, and the recited Police Act, to be construed as one Act.

And be it enacted, That this Act shall be construed as one Act, with the said Act, intituled "An Act for establishing a Police, and to regulate the same," and that the provisions of the said Act, except so far as is herein otherwise provided, shall extend to this Act, and to all things done in execution of this Act.

And be it enacted, That the Act passed by the Legislature of Grenada, in the year one thousand eight hundred and twenty-seven, intituled "An Act to prevent the firing of guns, beating of drums, dancing, and other diversions upon the Sabbath day," and the fourth Clause of the said Act, intituled "An Act for establishing a Police, and to regulate the same," and an Act passed by the Legislature of Grenada, in the year one thousand eight hundred and forty-five, intituled "An Act to repeal the fourth Clause of the Police Act, and to substitute other provisions in lieu thereof," shall be, and the same are hereby severally repealed.

Clause XXXVII.
Act of 1827, and
4th Clause of the
recited Police Act,
(No. 89,) and Act of
1845, severally re-
pealed.

No. CXXXVII.



An Act for extending the remedies of Creditors against the property of Debtors, and for amending the Law in reference to Executions. [28th July, 1846.]—Left to its operation by Order in Council, dated 19th December, 1846.

WHEREAS, by the writ of Execution now in use, and issuing out of the Supreme Court of Judicature, on a Judgment recovered by Plaintiffs therein, the Provost-Marshal is required to levy the amount of the Judgment, with costs taxed on the writ, and all subsequent costs of execution, on the goods, chattels, lands, tenements, hereditaments, rent charges, and annuities belonging to the defendant, and debts due to him; and in case the Provost-Marshal cannot immediately find sufficient goods, chattels, lands, tenements, hereditaments, rent charges, annuities, and debts, he is thereby required to take the body of the defendant, and him safely keep, until the Judgment be satisfied; And whereas, by the existing Law, executions are considered in the nature of securities, and proceedings may be staid by Plaintiffs thereon, and also taken to levy the same after the return day of the writ, and such executions are not deemed satisfied unless they have lain dormant for twenty years; And whereas, it is expedient to extend the remedies of creditors against the property of debtors, and thereby diminish the interest of creditors to arrest or detain the persons of their debtors, in custody, and otherwise to amend the Law relating to Executions:

Preamble.

Be it therefore enacted, by the Governor, the Council and Assembly of the Island of Grenada and its Dependencies, and it is hereby enacted by the authority of the same, That it shall be lawful for the Provost-Marshal, to whom any writ of Execution shall be directed, at the suit of any plaintiff, upon any Judgment which, at the time appointed for the commencement of this Act shall have been recovered, or shall be thereafter recovered, in any Action in the Supreme Court of Judicature, to levy the amount of such judgment, with costs taxed on the said writ, and all subsequent costs of such execution, on all such lands, tenements, rents and hereditaments, as the person against whom execution is so sued, or any person in trust for him, shall have been seized or possessed of at the time of entering up such judgment, or at any time afterwards, or over which such person shall, at the time of entering up such judgment, or at any time afterwards, have any disposing power, which he might, without the assent of any other person, exercise for his own benefit, in like manner and order as the Provost-Marshal may now levy the amount of a judgment recovered in the said Court, on the lands and tenements of any defendant against whom a writ of execution is sued out: Provided always, that as against purchasers, mortgagees, or creditors who shall have become such before the time appointed for the commencement of this Act, such writ shall have no greater or other effect than a writ of execution would have had in case this Act had not passed.

Clause I.
Lawful for Provost
Marshal, under
writ of Execution,
to levy amount of
judgment recover-
ed, with costs, on
all such lands &c.,
held by the party,
or by another in
trust for him, or
over which he has
any disposing pow-
er.

Proviso.
As to purchasers,
mortgagees and cre-
ditors before the
commencement of
this Act.

And be it enacted, That if any person, against whom any judgment

Clause II.

Stock and shares in any public company, belonging to execution debtor may, by order of Court or of a Judge, stand charged with payment of judgment debt.

shall have been entered up in the Supreme Court of Judicature, shall have, or be entitled to any stock or shares of, or in, any Public Company in Grenada (whether incorporated or not), standing in his name, in his own right, or in the name of any person in trust for him, or any interest in any such stock or shares, whether in possession, remainder or reversion, and whether vested or contingent, or in the interest or annual produce of any such stock or shares, it shall be lawful for the said Supreme Court, or a Judge thereof, on the application of any judgment creditor, to order that such stock or shares, or such of them, or such interest, as aforesaid, or such part thereof, respectively, as such Court or Judge shall think fit, shall stand charged with the payment of the amount for which judgment shall have been so recovered, and interest thereon; and such order shall entitle the judgment creditor to all such remedies as he would have been entitled to if such charge had been made in his favor by the judgment debtor; provided that no proceedings shall be taken to have the benefit of such charge until after the expiration of six calendar months from the date of such order: Provided also, that no such order, as to any stock or shares, or as to the interest or annual produce thereof, shall prevent any public company from permitting any transfer of such stocks or shares, or payment of the interest or annual produce thereof in such manner as the Court of Chancery may direct, or shall have any greater effect than if such debtor had charged such stock or shares, or the interest or annual produce thereof, in favour of the judgment creditor, with the amount of the sum to be mentioned in any such order.

Clause III.
How such charging order to be made;

And its effect on the Public Company.

And, in order to prevent any person against whom judgment shall have been obtained, from transferring, receiving, or disposing of any stock or shares hereby authorised to be charged for the benefit of the judgment creditor, under an order of the said Supreme Court, or a Judge thereof, Be it enacted, that every such order, charging any stock or shares in any public company, under this Act, shall be made, in the first instance, *ex parte* and without any notice to the judgment debtor, and shall be an order to show cause only, and such order, if any stock or shares of, or in, any public company, standing in the name of the judgment debtor, in his own right, or in the name of any person in trust for him, is or are to be affected by any such order, shall restrain such public company from permitting a transfer of such stock or shares in the meantime, and until such order shall be made absolute or discharged; and that if, after notice of such order to the person or persons to be restrained thereby, or in case of corporations, to any authorised agent of such corporation, and before the same order shall be discharged, or made absolute, such corporation, or person or persons, shall permit any such transfer to be made, then, and in such case, the corporation, or person or persons so permitting such transfer, shall be liable to the judgment creditor for the value or amount of the property so charged, and so transferred, or such part thereof as may be sufficient to satisfy his judgment, and that no disposition of the judgment debtor, in the meantime, shall be valid or effectual as against the judgment creditor, and further, that unless the judgment debtor shall, within a time to be mentioned in such order, shew to the said Court, or a Judge thereof, sufficient cause to the contrary, the said order shall, after proof of notice thereof to the judgment debtor, or his attorney or agent, be made absolute; Provided, that such Court or any such Judge, shall, upon the application of the judgment debtor, or any person interested, have full power to discharge or vary such order, and to award such costs, upon such application as such Court or Judge may think fit.

Clause IV.
If, afterwards, the judgment debtor be taken in execution, the charging order shall be taken to have been relinquished.

And be it enacted, That if any judgment Creditor, who, under the powers of this Act, shall have obtained any such charge, as aforesaid, shall afterwards, and before the property so charged shall have been converted into money, or realised, and the produce thereof applied towards payment of the judgment debt, cause the person of the judgment debtor to be taken

or charged in execution upon such judgment, then, and in such case, such judgment creditor shall be deemed and taken to have relinquished all right and title to the benefit of such charge, and shall forfeit the same accordingly.

And be it enacted, That every judgment debt, due upon any judgment not confessed or recovered for any penal sum for securing principal and interest, shall carry interest at the rate of six pounds per centum per annum, from the time of entering up the judgment, or from the time of the commencement of this Act, in cases of judgments then entered up, and not carrying interest until the same shall be satisfied, and such interest may be levied under a writ of execution on such judgment.

Clause V.
Judgment debt due on judgment recovered, &c., for any penal sum for securing principal and interest, shall carry interest at six per cent.

And be it enacted, That it shall be lawful for the Provost-Marshall, and he is hereby required, at the instance of the plaintiff or plaintiffs, to proceed on any writ of execution which has been, or shall be, lodged in his office, notwithstanding such writ may have been returned to the Secretary's Office, or proceedings may have been stayed thereon beyond the return day of such writ, until full satisfaction shall have been had and made for the amount due thereon.

Clause VI.
Provost Marshal may, at Plaintiff's instance, proceed to levy under execution after the return day.

And be it enacted, That when any person is, or shall be, in the actual custody of the Provost-Marshall, whether such person shall have been taken into custody before or after the passing of this Act, for the non-payment of any fine of any description, or in pursuance of any sentence of imprisonment, or any commitment by any Justice or Justices of the Peace, or on any attachment, mesne or contempt process issued by any Court, and the fine, sentence, commitment, attachment, mesne or contempt process whereon such person shall have been taken into custody, shall be paid, satisfied, complied with, reversed, set aside, or otherwise discharged, such person shall not be detained by the Provost-Marshall, on account of any unsatisfied execution issued, or to be issued out of the Supreme Court of Judicature, whether proceedings shall be staid thereon or not, unless a detainer, in writing, shall have been, or shall be lodged, by, or on behalf of, such execution creditor with the Provost-Marshall, who, unless such detainer be so lodged with him, shall discharge such person out of custody, according to the exigence of the sentence or process on which such person shall have been so taken, as aforesaid; Provided always, and it is hereby declared, that such discharge shall not annul, release or otherwise affect any such unsatisfied execution, or the judgment on which the same shall be founded.

Clause VII.
Persons in custody for non-payment of fines, on paying same, are not to be detained on unsatisfied executions, unless detainer lodged.

And be it enacted, That it shall not be lawful for the Provost-Marshall to take the body of any defendant under any execution issued, or to be sued out of the Supreme Court of Judicature, unless the Provost-Marshall shall be specially directed to take the body of such defendant, by orders, in writing, signed by the plaintiff, his counsel, attorney or agent.

Clause VIII.
Provost Marshal may not take the body of the defendant in execution, unless specially directed.

And be it enacted, That when several executions are, or shall be, lodged with the Provost Marshal, against the same defendant, who shall have been, or shall be, taken into, or detained in, custody by the order of any one such execution creditor, such person shall not be deemed to have been taken into, or detained, or to have been, or to be, in custody at the suit of any other execution creditor, who shall not, by order, in writing, have directed or direct the taking or detention of the body of such defendant.

Clause IX.
When several executions against the same defendant, who is taken under any one of them, he is not to be deemed in execution under any other of them, unless directed so to be.

And whereas it is enacted, That executions shall be levied by the Provost-Marshall in the order in which they are received by him, and payments made in discharge of executions, without the intervention of the Provost-Marshall, may not appear in his books, and such executions, if proceeded on, as they stand in such books, may occasion levies for larger sums than are justly due; for remedy whereof, it is hereby enacted, that the Provost-Marshall shall not be at liberty or compellable to proceed on any execution which, after the passing of this Act, shall have lain, or shall lie dormant, or in which, after the passing of this Act, no proceeding shall have been or shall be taken for the space of one year, unless the plaintiff or plaintiffs, or

Clause X.
Provost Marshal may not proceed on any execution dormant for one year, unless an affidavit be, within that time, delivered to him stating amount due.

one of them, or some person interested in such execution, or his, her or their lawful attorney or agent, shall, within such period of a year, have delivered, or until he, she, or they shall deliver, to the Provost-Marshal, an affidavit, duly sworn before the Supreme Court of Judicature, or one of the Justices thereof, specifying the amount or balance still remaining due on such execution, and deposing, positively, if such affidavit be made by a plaintiff, and to the best of the knowledge and belief of the deponent, if such affidavit be made by an executor, administrator, or other person, that the amount or balance therein specified, is still justly and truly due from the defendant or defendants in such execution, and that the same hath not been in any manner paid, settled in account, or otherwise satisfied, and no

And no greater sum to be levied than that sworn to, with costs, notwithstanding any prior unsatisfied executions.

Clause XI.
Provost Marshal to return execution proceeded on, within thirty days.

Clause XII.
Form of writs of execution, and to be endorsed by a practitioner of the Court.

greater amount shall be levied than the sum or sums so sworn to, with costs, although there shall be in the Marshal's Books any other execution not sworn to against the same defendant, appearing unsatisfied prior in course to that or those so sworn to.

And be it enacted, That when any proceeding shall be had on any Execution, the Provost Marshal shall make a return thereof to the Secretary's Office, within thirty days next after such proceeding.

And be it enacted, That Writs of Execution to be hereafter issued out of the said Supreme Court, on Judgments for Plaintiffs, shall be in the form in the Schedule hereto annexed, and when the same shall be issued against executors or administrators, such Writs shall be made to conform to the circumstances, and every such Writ shall be endorsed by, and in the name of, a practitioner, duly admitted to practice, and practising in the said Court.

Clause XIII.
Acts of 31st March, 1835, and 20th Feb., 1839, repealed.

And be it enacted, That an Act passed by the Legislature of Grenada, in the year one thousand eight hundred and thirty-five, intituled, "An Act to explain and amend certain parts of an Act for re-establishing a Court of Common Pleas and Court of Complaints, and for other purposes, in relation to the levying of Executions," and an Act passed by the Legislature of Grenada, in the year one thousand eight hundred and thirty-nine, intituled, "An Act to amend an Act, intituled an Act to explain and amend certain parts of an Act for re-establishing a Court of Common Pleas, and Court of Complaints, and for other purposes in relation to the levying of Executions," shall be, and the same are hereby respectively repealed.

WRIT OF EXECUTION.

Schedule.

VICTORIA, by the Grace of God, of the United Kingdom of Great Britain and Ireland, Queen, Defender of the Faith, &c., &c., &c.

To the Provost Marshal, greeting;

According to bond or other instrument.

WHEREAS, at our Supreme Court of Judicature, held for our Island of Grenada, on the — day of —, in the year of our Lord —, Judgment was obtained against C. D., at the suit of A. B, for the sum of £—, (and if for a penalty for securing payment of £—, with interest, at the rate of £—, per centum, per annum, from the — day of —), with costs: We do, therefore, require and command you, to levy the said sum of £—, together with interest thereon, at the rate of £6, (or as agreed upon, in the Bond or other instrument), per centum per annum, from the — day of (the day on which the Judgment was actually entered), or if that was for a penal sum, for securing a less sum with interest, the day specified in the Bond or other instrument, and costs taxed hereon, and all subsequent costs of this Execution, of the goods and chattels, lands, tenements, hereditaments, rent charges and annuities of, or belonging to, the said C. D., and debts due to the said C. D., in the manner directed and appointed by the Act in that case made and provided, and in case you cannot immediately find sufficient goods, chattels, lands, tenements, hereditaments, rent charges, annuities and debts of the same C. D., you are, if thereto specially required, by order, in writing, signed by the said A. B., his Counsel or Attorney, but

not otherwise, to take the body of the same C. D., and him safely to keep, until the said Judgment be satisfied, and of your proceedings herein, you are to make return into the Secretary's Office, within thirty days from the date of this Writ, and also within thirty days next after any proceeding shall be had on this Writ, and herein fail not, as you will answer to the contrary at your peril.

Witness ———, our ——— Justice of our said Court, the ——— day of ——— in the ——— year of our Reign, and in the year of our Lord, one thousand eight hundred and ———.

No. CXXXVIII.

In Act to provide for the repairs of Public Byeways. [28th July, 1846.]—Left to its operation by Order in Council, dated 19th December, 1846. Vide Act, No. 134.

WHEREAS, the Public Byeways have hitherto been repaired and kept in repair by the joint contribution of labour, by and from the owners of lands rough, or leading or adjoining to which, such roads pass, or those who have been in the habitual use of such roads :

Be it, therefore, enacted, by the Governor, the Council and Assembly of Grenada and its Dependencies, and it is hereby enacted by the authority of the same, That from and after the passing of this Act, the several Public Byeways shall be repaired and kept in repair by the respective Commissioners of public highways of the place in which such public byeways are situated, but, nevertheless at the separate and exclusive labour, costs, charges and expenses to be equitably and proportionably contributed, supplied, afforded and paid by the owners of the respective lands, through, or leading adjoining to which, such public byeways pass, or those who shall in any way habitually or beneficially use the same, and that such labour, cost, charges and expenses, so to be equitably and proportionably contributed, supplied, afforded and paid by the owners of the respective lands through, leading or adjoining to which, such public byeways pass, or who shall in any wise habitually or beneficially use the same, shall be contributed, afforded and paid by the persons, respectively, liable thereto, in such manner, and in such proportions, as the said Commissioners shall appoint and determine.

Preamble.

Clause I.
Public Byeways to be repaired by the Commissioners of Public Highways of the place in which such Byeways are situated, but at the expense, &c., of owners of lands through which such Byeways pass, or those who shall use them.

And be it enacted, That the said Commissioners shall once, or oftener, meet, in each and every year, by their order and determination, in order to ascertain and settle for such future period as they shall think proper, not exceeding one year, the proportion and the manner in which several persons so liable, as aforesaid, shall contribute, afford or pay the labour, cost, charges and expenses of them respectively required for any such public byeway, as aforesaid ; and such Commissioners shall cause due notice thereof, of not less than twenty-one days, to be given to each and every such person.

Clause II.
Commissioners, once a year, or oftener, to ascertain and settle proportions of labor, and expenses to be contributed.

And be it enacted, That in case any such person so liable, as aforesaid, shall hereafter make default, or refuse to comply with the order and determination of the said Commissioners, in regard of the proportion, whether labour or cost and expenses to be by him, her, or them contributed, afforded or paid, for the purposes aforesaid, then the amount of such contribution shall, by the said Commissioners, be settled and estimated in any manner they only, and the amount thereof shall be levied as a penalty and forfeiture in manner hereinafter mentioned, and the same, when levied and recorded, shall be paid to, and applied by, the said Commissioners, for the use and repair of any such public byeway, in the same manner as the same

Clause III.
Persons refusing to comply, how the Commissioners are to proceed.

Clause IV.
Penalties and forfeitures, how recoverable.

would have been paid and applied, had the same been paid, in the first instance, conformably with their order and determination.

And be it enacted, That all penalties and forfeitures by this Act authorised to be imposed as aforesaid, shall, upon proof and conviction thereof, before any two or more Justices, by the oath of any credible witness or witnesses (which oath such Justices are hereby fully authorised to administer), be levied by distress and sale of the goods and chattels of the person liable or ordered to pay the same, by warrant under the hands of two or more Justices, before whom the party may have been convicted, which warrant such Justices are hereby empowered and required to grant, and the overplus, if any, after such penalty or forfeiture, and the charges of such distress and sale, together with the sum of four shillings, for the use and benefit of the Constable or Constables, to whom such warrant shall be directed, and to be retained by him or them for his or their trouble, are deducted, shall be returned unto the owner of such goods and chattels, and in case it shall appear to the satisfaction of such Justices, either by the confession of the party convicted, or otherwise, that he or she hath not goods or chattels within the jurisdiction of such Justices sufficient whereon to levy such penalty or forfeiture, such Justices may, at their discretion, without issuing any warrant of distress, commit the party convicted, for such period of time, and in such and like manner, as if a warrant of distress had been issued, and nulla bona returned thereon; but if a warrant of distress shall be issued, and before the return thereof it shall appear that no sufficient distress can be had whereupon to levy the said penalty or forfeiture, and the same shall not be forthwith paid, then, in such case, such Justices are hereby required, by warrant under their hands, to cause such party convicted to be committed to the Common Gaol, there to be kept for any term not exceeding one calendar month, unless such penalty or forfeiture shall be sooner paid and satisfied.

No. CXXXIX.

An Act to continue an Act for granting an aid to Her Majesty, to be applied for the purposes of Immigration; to grant a bounty on the importation of certain agricultural laborers into Grenada, and to make provision for defraying the expences of conveying captured Africans to Grenada, and for their support and maintenance there, until location. [26th August, 1846.]

Preamble.
Act of 12th December, 1845, No. 132.

WHEREAS, an Act was passed by the Legislature of Grenada in the month of December, one thousand eight hundred and forty-five, intituled, "An Act for granting an aid to Her Majesty, to be applied for the purposes of immigration," which Act was limited to continue in force, until the thirty-first day of December, one thousand eight hundred and forty-six, and from thence, until the end of the next Session of the Legislature; And whereas, it is expedient to continue the said Act for a further period of time, and to grant a bounty on the importation of certain agricultural laborers;

Clause I.
Recited Act continued till 31st December, 1847, and thence till the end of the next Session.

Be it, therefore, enacted, by the Governor, the Council and Assembly of the Island of Grenada and its Dependencies, and it is hereby enacted by the authority of the same, that the said recited Act shall continue in force until the thirty-first day of December, one thousand eight hundred and forty-seven, and from thence until the end of the next session of the Legislature.

And whereas, it was by the said recited Act, amongst other things enacted, that every person who should have on hand, on the first day of January, one thousand eight hundred and forty-six, any rum, exceeding one hundred and

twenty gallons, should give in and deliver to the Public Treasurer, an account of the greatest quantity of rum which such person shall then have had on hand, as therein mentioned, and that no person having a less quantity than one hundred and twenty gallons of rum on hand, on that day, should be deemed liable to the duty or tax of six-pence per gallon thereby imposed on the holders of rum; And whereas, divers persons then having on hand a greater quantity than one hundred and twenty gallons of rum have erroneously omitted to include in their returns, or have deducted from the rum then on hand, such quantity of one hundred and twenty gallons;

Be it enacted, that every person who shall have had on hand, on the first day of January, now last past, more than one hundred and twenty gallons of rum, and who shall have omitted to return for taxation such quantity of one hundred and twenty gallons, or shall, in making any such return, have deducted such quantity of one hundred and twenty gallons, as not liable to duty, shall within fourteen days next after such one of the quarterly return days mentioned in the said recited Act, as shall happen next after the passing of this Act, pay to the Public Treasurer the duty or tax of six-pence per gallon for or in respect of such quantity of one hundred and twenty gallons, so omitted to be returned, or so deducted, as aforesaid. Clause II.

And be it enacted, That it shall be lawful for the Governor of Grenada, from time to time, to issue his Warrant to the Public Treasurer, for payment of the bounties in the Schedule to this Act annexed, to any person or persons who shall have imported, or shall import, into this Colony from the places in the said Schedule mentioned, any agricultural laborer or laborers, who shall have entered or shall enter into an Indenture or written Contract made or ratified before, or in the presence of, one of the Stipendiary Justices of this Colony, to work on any estate or estates, or lands therein, for the space of one year, and any child or children, above the age of ten, and under the age of fifteen years, who shall have accompanied, or shall accompany, any such laborer, being his or her child, or reputed child, or near relative. Clause III.
Governor to issue his warrant for payment of bounties in Schedule annexed, upon the importation of agricultural laborers, &c.

And be it enacted, That the Act passed by the Legislature of Grenada, in the month of May, now last past, intituled, "An Act for granting a bounty on the importation of agricultural laborers into Grenada, from the Island of Madeira," shall be, and the same is hereby repealed. Clause IV.
Act of 27th May, 1846, repealed.

And whereas, Africans captured under the authority of divers treaties, Acts of Parliament for the abolition of the slave trade, may be sent to, landed at, Grenada, and it is expedient to make provision for defraying the expenses of conveying such Africans to Grenada, and for their support and maintenance there, until they can be properly located;

Be it, therefore, enacted, that it shall be lawful for the Governor of Grenada, from time to time, to issue his warrant to the Public Treasurer, for payment of the expenses (not exceeding the sum of five thousand pounds), which may be incurred in conveying any such Africans to Grenada, or incident thereto, and for the support and maintenance of any such Africans there, until they can be properly located, to the satisfaction of the Governor. Clause V.
Governor to issue warrant for payment of expenses (not exceeding £5,000) incurred in conveying captured Africans to Grenada, and for their support until located.

And be it enacted, That no tonnage duty shall be charged upon Ships arriving at this Island with Immigrants, and leaving it without landing or unloading any cargo. Clause VI.
No tonnage to be charged on immigrating ships, on arriving and leaving, without landing or taking cargo.—Vide Act, No. 152, Cl. 3.

Provided always, and be it enacted, That the amount of bounty to be paid under or by virtue of this Act, shall not, together with the bounties paid or to be paid under authority of any other Act for granting a bounty on the importation of agricultural laborers into Grenada, and the said sum of five thousand pounds, exceed the sums which shall have been or shall be used under or by virtue of the said first recited Act, or this Act, or any Act for continuing the same, or any other Act, passed, or to be passed, for raising money to be applied for the purposes of immigration. Clause VII.
Proviso.
Amount of bounty limited.

And be it enacted, That it shall be lawful for the Governor, by Order Clause VIII.

Governor in Council to direct the deposit of monies raised or to be raised under the recited, or this Act, with chartered banks at interest.

Clause IX.
Meaning of "Governor."

in Council, and by warrant, in writing, under his hand and seal, from time to time, to direct the deposit, by the Public Treasurer, of all or any part of the monies raised or to be raised, under or by virtue of the said first recited Act, or this Act, with any chartered Bank or Banks in this Colony, at interest, until the same shall be required for payment of the bounties, aforesaid, or the Governor, in Council, shall think it expedient that the same should be withdrawn; and no monies which shall be so deposited shall be withdrawn from any such Bank, without like Order in Council, and Warrant, in writing, but all such monies may, at any time, be withdrawn by like Order in Council, and Warrant, payable to the Public Treasurer.

And be it enacted, That the word "Governor," in this Act, shall be construed to mean the Officer, for the time being, administering the Government of Grenada.

SCHEDULE :

Every Laborer from the Azores, Madeira, the Canaries, and the Cape de Verd Islands	. . . . . £4 0 0
Every Child from any of those places	. . . . . 2 0 0

No. CXL.

Vide Acts,
Nos. 165.
179.
180.

An Act for the appointment of a Police Magistrate for the Town and Parish of Saint George, and for further improving the Police. [22nd September, 1846.]—Left to its operation by Order in Council, dated 27th February, 1847.

Preamble.

WHEREAS, it is expedient to appoint a Police Magistrate for the Town and Parish of Saint George, and to make provision for further improving the Police of these Islands;

Clause I.
Governor may appoint a Stipendiary Magistrate for Town and Parish of Saint George.

Be it, therefore, enacted, by the Governor, the Council and Assembly of the Island of Grenada and its Dependencies, and it is hereby enacted by the authority of the same, that it shall be lawful for the Governor, from time to time, to appoint a fit person, not being a Stipendiary Magistrate, to execute the duties of a Justice of the Peace in the Town and Parish of Saint George, who shall receive a salary at and after the rate of three hundred and fifty pounds, per annum, payable quarterly, by the Public Treasurer, on the warrant of the Governor, who shall have power, from time to time, to remove any such Justice.

His salary.
Vide Act, No. 165.

Clause II.
Such Magistrate to be called "The Police Magistrate."

And be it enacted, That such Justice shall be called "The Police Magistrate," and shall attend, for the transaction of business, at the Court-House, in the Town of Saint George, on every day, except Sunday, Christmas day, Good Friday, or any day appointed for a public fast or thanksgiving, from ten of the clock in the morning, until three of the clock in the afternoon, or at such other times as urgent necessity shall require, or at such place and time as the Governor shall, from time to time, appoint; and no person, appointed a Magistrate, in pursuance of this Act, shall act in his office, until he shall have taken and subscribed before the Governor, the oaths taken and subscribed by Justices of the Peace.

Times and place of his sittings.

To take oath before he acts.

Clause III.
Such Magistrate to act as Justice of the Peace, generally, and exempt from serving on Jury.

And be it enacted, That every Magistrate to be so appointed, may act as a Justice of the Peace throughout this Colony, and shall be exempt and disqualified from being returned, and from serving on any jury or inquest whatsoever, and shall not be inserted in any list of men qualified and liable to serve as jurors.

Clause IV.
Such Magistrate may alone act in cases where, by any

be authorized by the Governor to attend, any act, which, by any law

now in force, or by any law, not containing an express enactment to the contrary, hereafter to be made, is or shall be directed to be done by more than one Justice, and such Police Magistrate shall also be competent to act as one of the Justices of any Special Session, to be holden in pursuance of the Act, intituled "An Act for establishing a Police, and to regulate the same."

act, two Justices or more have authority.

No. 89.

And be it enacted, That every warrant, to compel the appearance of any person, or warrant, for the apprehension of any person charged with any offence, issued by any such Police Magistrate, may be served or executed in any part of this Colony, by the constable or constables to whom the same shall be directed.

Clause V.
Warrants of such Magistrate, how to be served.

And be it enacted, That upon any information or complaint to be laid or made before any such Magistrate, of any matter which he is authorized to hear and determine summarily, he may summon the party charged, and if such party shall not appear, according to the tenor of the summons, such Magistrate, upon proof of the service of the summons, may proceed, in all cases which are not of a criminal nature, if no sufficient cause shall be shown for the non-appearance of the party, to hear and determine the case in the absence of the party; and in all criminal cases, shall issue his warrant for apprehending and bringing such party before him, in order that the said information or complaint may be heard and determined.

Clause VI.
Such Magistrate to summons party charged; and in case of non-appearance, how he is to proceed.

And be it enacted, That every such summons may be served by delivering a copy of the summons to the party, or by delivering a copy of the summons to the wife or servant, or some adult inmate of the family of the party, at his usual place of abode, and explaining the purport thereof to such wife, servant or inmate.

Clause VII.
How summons to be served.

And be it enacted, That any such Magistrate may, without issuing any summons, forthwith issue his warrant for the apprehension of any person charged with any offence cognizable before him, whenever good grounds for so doing shall be stated, on oath, before him.

Clause VIII.
Magistrate may issue warrant to apprehend in first instance.

And be it enacted, That any such Magistrate may summon any witness to appear and give evidence before him, upon the matter of any offence cognizable before such Magistrate, with which any person shall be charged before him, at a time and place appointed for hearing the information or complaint, and, by warrant under his hand and seal, may require any person to be brought before him, who shall neglect or refuse to appear, to give evidence, at the time and place appointed in such summons, proof, upon oath, being first given of personal service of the summons upon the person against whom such warrant shall be granted, and such Magistrate may commit any person coming or brought before him, who shall refuse to give evidence, to the common gaol, there to remain, without bail or main-prize, for any time not exceeding fourteen days, or until such person shall sooner submit himself to be examined, and in case of such submission, the order of any such Magistrate shall be a sufficient warrant for the discharge of such person.

Clause IX.
May summon witnesses, and in case of their not attending, how he is to proceed.

And be it enacted, That every person who, upon any examination, upon oath, or affirmation, before any such Magistrate, shall wilfully and corruptly give false evidence, or shall wilfully and corruptly swear or affirm anything which shall be false, shall be liable to the penalties of wilful and corrupt perjury.

Clause X.
Perjury.

And be it enacted, That every person who shall be brought before any such Magistrate, charged with having in his possession, or conveying, in any manner, anything which may be reasonably suspected of being stolen, or unlawfully obtained, and who shall not give an account, to the satisfaction of such Magistrate, how he came by the same, shall be deemed guilty of a misdemeanor, and shall be liable to a penalty of not more than five pounds, or, in the discretion of the Magistrate, may be imprisoned in the common gaol, with or without hard labor, for any time not exceeding two calendar months.

Clause XI.
Person apprehended on suspicion of having stolen goods in his possession. Vide Act, No. 89, Clause 12.

Clause XII.

Goods suspected to have been stolen, and concealed in dwelling house, &c.

And be it enacted, That if information shall be given, on oath, to any such Magistrate, that there is reasonable cause for suspecting, that anything stolen or unlawfully obtained, is concealed or lodged in any dwelling-house, or any other place, it shall be lawful for such Magistrate, by special warrant, under his hand, directed to any constable, to cause every such dwelling-house, or other place, to be entered and searched, at any time of the day, and the said Magistrate, if it shall appear to him necessary, may empower such constable, with such assistance as may be found necessary, such constable having previously made known such his authority, to use force, for the effecting of such entry, whether by breaking open doors, or otherwise, and if upon search thereupon made, any such thing shall be found, then to convey the same before such Magistrate, or to guard the same on the spot, until the offenders are taken before such Magistrate, or otherwise dispose thereof in some place of safety, and moreover to take into custody, and carry before the said Magistrate, every person found in such House, or place, who shall appear to have been privy to the deposit of any such thing, knowing, or having reasonable cause to suspect the same to have been stolen, or otherwise unlawfully obtained.

Clause XIII.

As to person charged with having stolen goods, and declaring he received them from others.

And be it enacted, That when any person shall be brought before any such Magistrate charged with having, or conveying anything stolen, or unlawfully obtained, and shall declare that he received the same from some other person, or that he was employed as carrier, agent or servant, to convey the same for some other person, such Magistrate is hereby authorized and required to cause every such person, and also, if necessary, every former or pretended purchaser, or other person, through whose possession the same shall have passed, to be brought before him, and examined, and to examine witnesses, upon oath, touching the same, and if it shall appear to such Magistrate, that any person shall have had possession of such thing, and had reasonable cause to believe the same to have been stolen, or unlawfully obtained, every such person shall be deemed guilty of a misdemeanor, and to have had possession of such thing at the time and place when and where the same shall have been found, or seized, and the possession of a carrier, agent or servant, shall be deemed to be the possession of the person who shall have employed such other person to convey the same, and shall be liable to a penalty of not more than five pounds, or in the discretion of the Magistrate, may be imprisoned in the common Gaol, with or without hard labor, for any time not exceeding three calendar months.

Clause XIV.

As to goods stolen, &c., or, being lawfully obtained, and pawned or exchanged, &c.

And be it enacted, That if any goods shall be stolen, or unlawfully obtained, from any person, or being lawfully obtained, shall be unlawfully deposited, pawned, pledged, sold, or exchanged, and complaint shall be made thereof to any such Magistrate, and that such goods are in the possession of any shopkeeper, or other person, it shall be lawful for such Magistrate to issue a summons, or warrant, for the appearance of such shopkeeper, or other person, and for the production of the goods, and to order such goods to be delivered up to the owner thereof, either without any payment, or upon payment of such sum, and at such a time, as the Magistrate shall think fit, and every such shopkeeper, or other person, who being so ordered, shall refuse or neglect to deliver up the goods, or who shall dispose of, or make away with, the same, after notice that such goods were stolen, or unlawfully obtained, as aforesaid, shall forfeit to the owner of the goods the full value thereof, to be determined by the Magistrate: Provided always, that no such order shall bar any such shopkeeper, or other person, from recovering possession of such goods, by suit, or action at Law, from the person into whose possession they may come, by virtue of the Magistrate's order, so that such action be commenced within six calendar months, next after such order shall be made.

Clause XV.

Goods, unlawfully

pledged, pawned, or exchanged, may be restored to the owner, in cases of

summary conviction, or where the goods are produced without the issue of any search warrant; Be it declared and enacted, that it shall be lawful for any such Magistrate, to order that any goods unlawfully pawned, pledged, or exchanged, which shall be brought before him, and the ownership of which shall be established, to the satisfaction of such Magistrate, shall be delivered up to the owner by the party with whom they were so unlawfully pawned, pledged, or exchanged, either without compensation, or with such compensation to the party, in question, as the Magistrate may think fit.

And be it enacted, That if any goods or money, charged to be stolen or fraudulently obtained, shall be in the custody of any constable, by virtue of any warrant of a Justice, or in prosecution of any charge of felony or misdemeanor, in regard to the obtaining thereof, and the person charged with stealing or obtaining possession, as aforesaid, shall not be found, or shall have been summarily convicted, or discharged, or shall have been tried and acquitted, or if such person shall have been tried and found guilty, but the property so in custody shall not have been included in any indictment upon which he shall have been found guilty, it shall be lawful for any such Magistrate to make an order for the delivery of such goods or money to the party who shall appear to be the rightful owner thereof, or in case the owner cannot be ascertained, then to make such order, with respect to such goods or money, as to such Magistrate shall seem meet; Provided always, that no such order shall be any bar to the right of any person or persons to sue the party to whom such goods or money shall be delivered, and to recover such goods or money from him, by action at law, so that such action shall be commenced within six calendar months next after such order shall be made.

Clause XVI.
Restitution of goods
in other cases.

And be it enacted, That when any goods or money charged to be stolen, or unlawfully obtained, and of which the owner shall be unknown, shall be ordered by any such Magistrate to be delivered to the Superintendent of Police, it shall be lawful for him, after the expiration of twelve calendar months, during which no owner shall have appeared to claim the same, to sell or dispose of such goods or money, and the proceeds thereof, after payment of all necessary expenses attendant thereon, shall be paid over by such Superintendent to the Public Treasurer, for the public uses of this colony; Provided always, that in every case, where such goods shall be of a perishable nature, the same shall be brought to sale within such reasonable time as shall be ordered by the Magistrate.

Clause XVII.
Goods delivered to
Superintendent of
Police, and no owner
appearing in
twelve months, to
be sold.

And be it enacted, That it shall be lawful for any such Magistrate, who shall hear and determine any charge, or complaint, whether a warrant or summons shall have been issued in consequence of such charge or complaint, to award such costs, as to him shall seem meet, to be paid to, or by, either of the parties to the said charge or complaint.

Clause XVIII.
Costs may be awarded
by Magistrate.

And whereas, informations may be laid for the mere sake of gain, or by parties not truly aggrieved, and the offences charged in such informations may not be further prosecuted, or it may appear, upon prosecution, that there was no sufficient ground for making the charge;

Be it enacted, That in every case in which any information or complaint of any offence shall be laid or made before any such Magistrate, and shall not be further prosecuted, or in which if further prosecuted it shall appear to any such Magistrate, by whom the same shall be heard, that there was no sufficient ground for making the charge, such Magistrate shall have power to award such amends, not more than the sum of five pounds, to be paid by the informer to the party informed or complained against, for his loss of time and expenses in the matter, as to such Magistrate shall seem meet.

Clause XIX.
F frivolous complaints, how to be
disposed of.

And be it enacted, That in case any person shall lodge any information before any such Magistrate for any offence alleged to have been committed, by which he was not personally aggrieved, and shall afterwards directly or

Clause XX.
Complainants afterwards
compounding with
defendants,

without permission, to be fined.

indirectly receive, without the permission of such Magistrate, any sum of money, or any reward for compounding, delaying, or withdrawing the information, it shall be lawful for any such Magistrate to issue his warrant or summons, as he may deem best, for bringing before him the party charged with the offence of such compounding, delay, or withdrawal, and if such offence be proved by the confession of the party, or by the oath of any credible witness, such informer shall be liable to a penalty not more than ten pounds,

And whereas, by divers Acts of Parliament and of the Legislature of Grenada, the moiety or other fixed portion of the penalties to be thereby recovered, is directed to be adjudged to the informer, which may encourage the corrupt practices of common informers, for prevention thereof;

Clause XXI.
In case of informers being entitled to part of penalty, how Magistrate to act.

Be it enacted, That where, by any Act now in force, or hereafter to be passed, a moiety, or other fixed portion of the penalty or penalties thereby imposed, is or shall be directed to be paid to the informer, not being the party aggrieved, it shall be lawful for any such Magistrate, before whom the conviction shall be had, to adjudge that no part, or such part only of the penalty as he shall think fit, shall be paid to the informer.

And whereas, by divers Acts of Parliament, and of the Legislature of Grenada, certain limited penalties or terms of imprisonment are imposed for offences therein mentioned, and sufficient power is not given to the Justice or Justices before whom the offender is convicted to reduce or lessen such penalty or term of imprisonment, whereby much hardship may be experienced;

Clause XXII.
Mitigation of fixed punishments.

Be it enacted, That where, by any Act now in force, or hereafter to be passed, a limited penalty or term of imprisonment is imposed on conviction of an offender before a Justice or Justices of the Peace, it shall be lawful for any such Magistrate, before whom such conviction shall be had, to reduce or lessen such penalty, or term of imprisonment, in such manner as he may think fit; Provided always, that no penalty for the infringement of any Act relating to the revenue, shall be reduced by any such Magistrate, below the amount or proportion allowed in that behalf by the Act or Acts specially relating thereunto, without the consent of the Governor.

Clause XXIII.
Remanding for further examination, or, giving security for appearance.

And be it enacted, That any such Magistrate, if he shall think fit, may remand any person for further examination, or may suffer to go at large any person who shall be charged before him with any felony or misdemeanor, upon his personal recognizance (with or without sureties), and every such recognizance shall be conditioned for the appearance of such person, before the Police Magistrate, for the time being, or any two Magistrates, as the case may be, for further examination, or to surrender himself to take his trial at the next Supreme Court of Judicature, and the Magistrate shall be at liberty, from time to time, to enlarge every such recognizance, to such further time as he shall appoint, and every such recognizance which shall not be enlarged, shall be discharged, without fee or reward, when the party shall have appeared, according to the condition thereof; Provided always, that whenever any such Magistrate shall take the recognizance of any person to appear at the Supreme Court of Judicature, such Magistrate shall be bound to return the depositions taken in the case, and to bind over the witnesses to appear and give evidence in like manner as if he had committed the party to take his trial at such Court.

Clause XXIV.
Tenant wilfully damaging premises or furniture.

And be it enacted, That every person who shall occupy, or shall have occupied, any house or lodging, as tenant thereof, and who shall wilfully or maliciously do any damage to the premises, or to any furniture thereof, not being the property of such tenant or occupier, shall, upon complaint made to any such Magistrate, within one calendar month next after the commission of the offence, or the end of the tenancy, or occupation, forfeit and pay such sum of money as shall appear to such Magistrate to be a reasonable compensation for the damage done, not more than the sum of fifteen pounds to be paid to the landlord or party aggrieved,

And be it enacted, That on complaint made to any such Magistrate, by any person who shall have occupied any house or lodging, by the week or month, or whereof the rent does not exceed the rate of fifteen pounds by the year, that his goods have been taken from him by an unlawful distress, or that the landlord or his bailiff or agent, has been guilty of any irregularity or excess, in respect of such distress, it shall be lawful for such Magistrate to summon the party complained against, and if, upon the hearing of the matter, it shall appear to such Magistrate that such distress was improperly taken, or unfairly disposed of, or that the charges made by the party having distrained, or having attempted to distrain, are contrary to Law, or that the proceeds of the sale of such distress have not been duly accounted for to the owner thereof, it shall be lawful for such Magistrate to order the distress so taken, if not sold, to be returned to the tenant, on payment of the rent which shall appear to be due at such time, as such Magistrate shall appoint, or if the distress shall have been sold, then to order payment to the said tenant of the value thereof, deducting thereout the rent which shall so appear to be due, such value to be determined by such Magistrate, and such landlord or party complained against in default of compliance with any such order, shall forfeit to the party aggrieved the value of such distress, not being greater than fifteen pounds, such value to be determined by such Magistrate.

Clause XXV.
As to goods of weekly or monthly tenant, or tenant whose rent does not exceed £15 per annum, being wrongfully distrained.

And be it enacted, That upon complaint made to any such Magistrate, by any person claiming to be entitled to the property or possession of any goods which are detained by any other person, the value of which shall not be greater than fifteen pounds, and not being deeds, muniments, or papers relating to any property, of greater value than fifteen pounds, it shall be lawful for such Magistrate to summon the person complained of, and to inquire into the title thereto, or to the possession thereof, and if it shall appear to the Magistrate that such goods have been detained without just cause, after due notice of the claim made by the person complaining, or that the person detaining such goods has a lien or right to detain the same, by way of security for the payment of money, or the performance of any act by the owner thereof, it shall be lawful for such Magistrate to order the goods to be delivered to the owner thereof, either absolutely, or upon tender of the amount appearing to be due by such owner (which amount such Magistrate is hereby authorized to determine), or upon performance, or upon tender and refusal of the performance of the act for the performance whereof such goods are detained, as security, or if such act cannot be performed, then, upon tender of amends for non-performance thereof (the nature or amount of which amends such Magistrate is hereby authorized to determine), and every person who shall neglect or refuse to deliver up the goods according to such order, shall forfeit to the party aggrieved the full value of such goods, not greater than the sum of fifteen pounds, such value to be determined by such Magistrate; Provided always, that no such order shall bar any person from recovering possession of the goods or money so delivered or forfeited by suit or action at Law, from the person to whose possession such goods or money shall come by virtue of such order, so that such action be commenced within six calendar months next after such order shall be made.

Clause XXVI.
As to claims of goods, of unascertained value, not being title deeds.

And be it enacted, That all offences which, under this or any other Act, are punishable on summary conviction before a Justice or Justices of the Peace, may be heard and determined by any such Police Magistrate, in a summary way, within six calendar months at the farthest next after the commission of such offence, or within such shorter time as shall be limited by the Act specifying the offence, and not afterwards.

Clause XXVII.
Limitation of time for summary convictions.

And be it enacted, That no information, conviction, or other proceeding, before or by any such Magistrate, or any two Magistrates, as hereinafter authorized, shall be quashed or set aside, or adjudged void, or insufficient for want of form.

Clause XXVIII.
Information not to be quashed for want of form.

Clause XXIX.

As to appeals from
summary orders, &c.
Vide Act, No. 180.

And be it enacted, That in every case of summary order or conviction before any such Magistrate, in which the sum or penalty adjudged to be paid shall be more than four pounds, or in which the penalty adjudged shall be imprisonment for any time more than one calendar month, any person who shall think himself aggrieved by the order or conviction, may appeal to the Supreme Court of Judicature, provided that such person, at the time of the order, or conviction, or within forty-eight hours thereafter, shall enter into a recognizance, with two sufficient sureties, conditioned personally to appear at the next sitting of the said Court, to try such appeal, and to abide the further judgment of such Court, and to pay such costs as shall be awarded by the said Court, and it shall be lawful for such Magistrate, by whom such order or conviction shall have been made, to bind over the witnesses who shall have been examined, in sufficient recognizances to attend, and be examined at the hearing of such appeal.

Clause XXX.

Persons by warrant
distraining, not to
be deemed trespass-
ers.

And be it enacted, That when any distress shall be made for any money to be levied by virtue of the warrant of any such Magistrate, or any two Magistrates, as hereinafter authorized, the distress shall not be deemed unlawful, nor shall any party making the same be deemed a trespasser, on account of any defect or want of form in the information, summons, warrant of apprehension, conviction, warrant of distress, or other proceeding relating thereto, nor shall such party be deemed a trespasser from the beginning, on account of any irregularity, which shall be afterwards committed by him; but all persons aggrieved by such defect or irregularity, may recover full satisfaction for the special damage, by an action on the case.

Clause XXXI.

Tender of amends.

And be it enacted, That no plaintiff shall recover in any action for any irregularity, trespass, or other wrongful proceeding, made or committed in the execution of this Act, or in, under, or by virtue of any power or authority hereby given, if tender of sufficient amends shall have been made by, or on behalf of, the party who shall have committed such irregularity, trespass, or other wrongful proceeding, before such action brought, and in case no tender shall have been made, it shall be lawful for the defendant in any such action, by leave of the Court, where such action shall depend, at any time before issue joined, to pay into Court such sum of money as he shall think fit, whereupon such proceeding, order, and adjudication shall be had and made in and by such Court, as in other actions where defendants are allowed to pay money into Court.

Clause XXXII.

For anything done
under this Act, no
action to be brought
until notice thereof
given, nor unless
action be brought
within three calen-
dar months.

And be it enacted, That no action, suit, or information, or any other proceeding, of what nature soever, shall be brought, commenced, or prosecuted, against any person, for anything done or omitted to be done, in pursuance of this Act, or in the execution of the powers or authorities under this Act, unless twenty days previous notice, in writing, shall be given by the party intending to commence and prosecute such suit, information, or other proceeding to the intended defendant, nor unless such action, suit, information, or other proceeding shall be brought, or commenced, within three calendar months next after the Act committed, or in case there shall be a continuation of damage, then within three calendar months next after the doing or committing such damage shall have ceased, and if the plaintiff shall become nonsuited, or shall suffer a discontinuance of his suit, information, or other proceeding, after the defendant shall have appeared thereto, or if a verdict shall pass against the plaintiff thereon, or if, upon demurrer, or otherwise, judgment shall be given against the plaintiff, the defendant shall have his costs, as between attorney and client, and shall have such remedy for recovering the same, as defendants have for recovering costs of suit, by Law in other cases.

Clause XXXIII.

Two Justices of the
Peace may do all
Acts which the Po-
lice Magistrate may
do.

And be it enacted, That it shall be lawful for any two Justices of the Peace, while sitting together in any Public Court, to exercise, perform, and do all and singular the powers, acts, matters and things by this Act, authorised to be done or performed, by any Police Magistrate, to be appointed in pursuance of this Act.

And be it enacted, That the fees set forth in the schedule to this Act annexed, shall be paid to the Police Magistrate, and other Justices of this Colony, for, or in respect of the several matters therein mentioned, and all such fees shall be paid over by every such Magistrate and Justice, to the Public Treasurer, for the public uses of the Colony.

And be it enacted, That this act, so far as relates to the appointment and continuance, in office, of any Magistrate authorized to be hereby appointed, shall continue in force for three years, and no longer.

And be it enacted, That the word Governor, in this Act, shall be construed to mean the officer, for the time being, administering the Government of this Colony.

And be it enacted, That all penalties and forfeitures imposed by this Act, shall, unless otherwise directed by this Act, be for the use of Her Majesty, her heirs and successors, and shall be paid to the Public Treasurer, for the public uses of this Colony.

SCHEDULE :

For every Summons or Warrant, in every matter which the Magistrate, or any two Magistrates, has power to hear and determine summarily	£0	2	0
For every Warrant of distress	0	2	6
For every Recognizance to keep the peace, or be of good behaviour	0	5	0
For every Affidavit or Declaration, in any private matter, in, or relating to which, the Magistrate is empowered to administer an oath, or take such declaration, not being a matter relating to the importation or exportation of goods or produce, or which the Magistrate, or any two Magistrates is, or are authorized summarily to adjudicate upon, or relating to any felony or misdemeanor	0	2	6

No. CXLI.

An Act for regulating the relative rights and duties of Masters and Servants. [12th January, 1847.]—Left to its operation by Order in Council, dated 24th April, 1847.

WHEREAS, it is expedient that the hirings of servants in husbandry, of sailors and boatmen employed on board vessels and boats belonging to the Colony, of menial servants, and of artificers, handicraftsmen, and other laborers in the Colony, should be properly regulated, and that provision should be made for the more easy recovery of the wages of such servants in husbandry, sailors, and boatmen, menial servants, artificers, handicraftsmen, and other laborers, and for the more ready determination of all disputes connected with such hirings.

Be it, therefore, enacted, by the Governor, the Council and Assembly of the Island of Grenada and its Dependencies, and it is hereby enacted by the authority of the same, That from and after the commencement of this Act, if any servant shall contract with any other person to serve him for a time certain, or in any other manner whatsoever, and shall not enter into, or commence his service, according to such contract, such contract being in writing, and signed by the contracting parties, or having entered into such service, in pursuance of, or under any, such contract, (whether the same shall be in writing, or not in writing,) shall wilfully absent himself from his service, or shall refuse to fulfil the same, before the term of his contract shall have been completed, whether such contract shall be for a time certain or work certain, or under the provisions hereinafter in that

Clause XXXIV.
Fees.
Vide Acta, Nos. 56,
and 179, Clause 1.

Clause XXXV.
Duration of this
Act.
Vide Act, No. 165.

Clause XXXVI.
"Governor."

Clause XXXVII.
Penalty, &c., to be
paid into Treasury.

Clause I.
Contract Servants
not commencing, or
not performing con-
tract, or absenting,
without reasonable
cause, or, by negli-
gence or ill-con-
duct, losing or da-
maging property of
employer, or endan-
gering such proper-
ty, by careless use
of fire, or ill-using
cattle, &c., of em-
ployer, punishable
by fine or imprison-
ment, with or with-
out hard labour.

behalf contained, unless for some reasonable cause, as hereinafter provided. or shall, by negligence or other improper conduct, lose, throw away, or damage the property of his employer, or shall endanger such property, by a careless or improper use of fire, or shall wilfully maim, wound, or cruelly ill-use any cattle, or other live stock, belonging to his employer, every such offender, on conviction thereof, shall suffer such punishment, by fine or imprisonment, in the Common Gaol, with or without hard labor, for the whole or any part of such imprisonment, such fine not to exceed five pounds, and such imprisonment not to exceed thirty days, as to the convicting Justice or Justices shall seem fit.

Clause II.
Servant misconducting, how punishable.

And be it enacted, That if any such servant shall be guilty of any wilful misconduct, or ill behaviour, in such service, such offender, on conviction thereof, shall forfeit and pay such sum, not exceeding forty shillings, or be imprisoned in the Common Gaol, for such term, not exceeding seven days, as to the convicting Justice or Justices shall seem fit.

Clause III.
Abatement of servant's wages, in addition to fine and imprisonment.

And be it enacted, That the Justice or Justices by, and before whom any complaint shall be heard and determined, may, in addition to such fine or imprisonment, as hereinafter directed, abate the whole or any part of the wages due to such servant, and direct the same to be retained by, and to the use of, the employer of such servant, and in the event of any servant being sentenced to imprisonment, no wages shall accrue to him during such imprisonment.

No wages to accrue during imprisonment.

Clause IV.
Penalty on employer ill-using servant, or withholding any articles contracted to be furnished to servant.

And be it enacted, That if any employer shall ill-use any servant, or shall not deliver to any servant any articles stipulated for, and which by the contract of service were to be furnished by the employer to the servant, or if the articles so furnished shall not be of the stipulated quantity or quality, every such employer being convicted of any such offence, shall forfeit and pay such sum not exceeding ten pounds, including the reasonable costs of such servant, as to the convicting Justice or Justices shall seem fit.

And whereas, contracts of hiring are frequently made without any particular period limited for their duration, or as to the notice required for terminating the same, respectively, and great inconvenience is thereby occasioned, for remedy thereof:

Clause V.
In absence of any express agreement, contracts to be deemed monthly.

Be it enacted, That in the absence of any express agreement to the contrary, every contract for service shall be deemed and taken to be a contract for one month at the least from the time of entering on such service (such month to be deemed a lunar month in the case of agricultural laborers, and a calendar month in all other cases), and to be terminated at any time by mutual consent of the parties, or by either party, at the expiration of the first or any subsequent month, on giving fourteen days previous notice to the other party, in writing, or in the presence of a credible witness, or for any such good and sufficient cause as hereinafter provided.

How to be determined.

Clause VI.
Employer, improperly terminating contract, to forfeit a month's wages to the servant.

And be it enacted, That if any employer shall terminate any contract entered into with any servant for service, for a time uncertain, except with the consent of such servant, or by giving fourteen days notice, as aforesaid, or for some good and sufficient cause, as aforesaid, such employer shall forfeit and pay to the use of the servant, a sum equal to one month's wages, according to the rate of wages which may have been fixed by and between the parties, or if the rate of wages shall not have been so fixed, then such sum as the Justice or Justices may consider fair and reasonable, as and for a month's wages, regard being had to the class of the servant, and the nature of the duties contracted to be performed, in addition to the wages due to the servant at the time of the termination of such contract.

Clause VII.
Employer improperly dismissing servant before completion of contract, to forfeit £5, to the servant.

And be it enacted, That if any employer having engaged any servant for service for any period of time certain, or for the performance of any particular work, shall put away, dismiss, or discharge such servant, before the completion of his contract, such employer, unless he shall be able to prove reasonable and sufficient cause for putting away such servant, shall

forfeit to the use of such servant such sum not exceeding five pounds, as the Justice or Justices shall consider a reasonable compensation for the wrong and injury done to such servant.

Provided always, and be it enacted, That it shall be lawful for any employer to discharge any servant, who shall be guilty of any misconduct, or wilful omission, or neglect of duty, without notice, and without payment of any wages beyond the wages due at the period of such discharge, and to any complaint made in respect of such discharge, such misconduct, or wilful omission, or neglect of duty proved, shall be a sufficient answer.

Clause VIII.
Employer may, for misconduct, &c., discharge servant without notice.

And be it enacted, That on any complaint made by any employer against any servant for refusing, or wilfully neglecting to perform his contract, such servant shall be at liberty to show, by evidence, in answer to such complaint, that he terminated his service or contract in consequence of ill usage by his employer, or for some other good and sufficient cause, to be judged of by the Justice or Justices.

Clause IX.
On complaint by employer against servant for neglecting to perform contract, servant may prove ill usage by employer.

And be it enacted, That upon any complaint made by any employer or servant, the Justice or Justices by whom such complaint shall be heard may, if he or they shall see fit, discharge such employer or servant from his contract or service, in addition to any other order made on such complaint, and shall, in case of such discharge, award to such servant the whole of such proportion of the wages appearing due to him as the Justice or Justices shall think reasonable, and shall give to such employer or servant, as the case may require, a certificate of such discharge, and of such award of wages, without any fee or consideration.

Clause X.
In what cases, on complaint, Justices may discharge employer or servant from the contract.

And be it enacted, That no contract for service not made within this Colony, and on the land of the Colony, shall be a contract within the meaning of this Act, or valid or binding on the parties thereto, or any of them, unless such contract shall be in writing, and shall be made and entered into by the person who is therein bound to perform such service, whilst such person is on the land and within the limits of the Kingdom of Great Britain and Ireland, or of some other part of Europe, or of the United States of America, or of some British possession in North America, or of the West Indies, and no contract for service shall be valid or binding on either of the parties thereto for any longer term than the period of one year from the time when the service under such contract shall be commenced, according to the terms of the contract.

Clause XI.
Meaning of contract within this Act.

And be it enacted, That where any servant in husbandry shall enter into the service of any employer, as a laborer, by the day or task, the contract between the parties shall, in the absence of any express agreement to the contrary, be deemed and taken to be a contract for one day certain, and so on, from day to day (Sundays only excepted), to be terminated only by mutual consent, or by either party, on giving twenty-four hours previous notice to the other party, in the presence of a credible witness, or for some good and sufficient cause, and if any employer shall wrongfully discharge any such servant in husbandry, without some reasonable and sufficient cause, and without giving such notice, or if any such servant shall wrongfully quit the service of such employer, without some reasonable and sufficient cause, and without giving such notice, every such offender, on conviction thereof, shall forfeit and pay to the use of the other party, such sum, not exceeding twenty shillings, exclusive of costs, as to the convicting Justice or Justices shall seem fit.

Clause XII.
Husbandry Contracts, not otherwise agreed on, to be deemed daily.

And how to be terminated.
As to either party wrongfully terminating contract.

And be it enacted, That all complaints, differences, and disputes, which shall arise between any employer or servant, touching or concerning any wages or allowances which may be due to such servant, shall and may be heard and determined by any Justice or Justices, acting under this Act, and it shall be lawful for such Justice or Justices to make order for the payment of so much wages, or the value of such allowances as shall appear to such Justice or Justices to be justly due and owing to such servant, according to the terms of his contract, together with the reasonable costs

Clause XIII.
Complaints between employer and servant to be determined by any Justice or Justices.

Justices' order as to payment of wages or allowances, with costs.

of such servant, provided that such wages, or the value of such allowances shall not exceed the sum of ten pounds, and the complaint be made within six months after the same became due.

Clause XIV.
Penalty on enticing
away servants.

And be it enacted, That if any person shall knowingly entice or inveigle away any servant, within the meaning of this Act, from the service of his employer, and such servant shall accordingly quit such service before the expiration of his contract, or if any person having engaged such servant, without notice of his previous retainer, shall receive into his service, or continue to employ such servant, after notice of his having so quitted the service of his employer, and during any part of the time when the first term of service shall be running, every such offender, on conviction thereof, shall forfeit and pay such fine, not exceeding five pounds, as to the convicting Justice or Justices shall seem fit.

Clause XV.
Jurisdiction under
this Act for enforcing
contracts.

And be it enacted, That jurisdiction under this Act, for the enforcement of all contracts between employers and servants, shall be vested in the Stipendiary and other Justices of the Peace of these Islands, and all complaints to be made under this Act shall be heard and determined by the Stipendiary Justice, or the Police Magistrate, or any two Justices of the District or place where the employer shall reside, or the offence shall be committed.

And with regard to the application of all wages, fines, forfeitures and penalties, upon summary convictions under this Act :

Clause XVI.
How wages, fines,
forfeitures, &c., on
summary conviction
under this Act,
are to be applied.

Be it enacted, That every sum of money which shall be awarded for wages or allowances, due to any servant, shall be paid to the servant entitled thereto, and every sum which shall be forfeited by any employer for discharging any servant without due notice, as aforesaid, shall be paid to such servant, and every sum which shall be forfeited by any employer for any ill usage of any servant may, at the discretion of the convicting Justice or Justices, be paid and applied to the use of such servant, as compensation for the injury he may have sustained, or be paid to the Public Treasurer for the use of the Colony, and every sum which shall be forfeited for any wrong or injury done, shall be paid to the party aggrieved (if known). notwithstanding such employer, or servant, or party aggrieved, may have given evidence on the adjudication of such matter, as aforesaid, or where not known, such sum shall be applied in the same manner as a penalty, and every sum which shall be imposed, whether in addition to the amount awarded for any wrong or injury as aforesaid, or otherwise, shall be paid to such Treasurer for the use of the Colony : Provided always, that where several persons shall join in the commission of the same offence, and shall each, on the conviction thereof, be adjudged to forfeit a sum equivalent to the amount of the injury done, in every such case no further sum shall be paid to the party aggrieved than that which shall be forfeited by one of such offenders only, and the corresponding sum or sums forfeited by the other offender or offenders, shall be applied in the same manner as a penalty is hereinbefore directed to be applied.

Proviso.
Where several persons
shall join in
the same offence.

Clause XVII.
Justices' warrant
for enforcing award
of wages, fines, and
forfeitures.

And be it enacted, That every award of wages, or other sum of money to be paid to any servant, and every fine, penalty, and forfeiture, and all costs and charges which shall be laid, imposed, forfeited or awarded, under the provisions of this Act, if not paid at the time of the conviction, or within such time as the Justice or Justices shall appoint or direct, shall be enforced by warrant, under the hand and seal of any one convicting Justice, or of any other two Justices, authorizing a distress and sale of the defendant's goods and chattels, rendering any overplus which may remain after deduction of the amount of the wages, or sum of money, fine, penalty or forfeiture, together with the costs of the prosecution, and also the costs of distress and sale to the defendant, on demand ; and in default of sufficient goods and chattels whereon to levy, then it shall and may be lawful for any two Justices, by warrant, under their hands and seals, to direct any such defendant or offender to be imprisoned for any period not exceeding

three calendar months, unless the wages, sum of money, fine, penalty or forfeiture, and all costs and charges necessarily incurred in carrying any order, award, judgment, or determination, made under the provisions of this Act into execution, be sooner paid, such imprisonment to be without hard labor, where the order or adjudication shall be for the payment of any wages or sum of money due and ordered to be paid by any employer to any servant, and such imprisonment, in all other cases, to be with or without hard labor, during the whole or part of such imprisonment, as the convicting Justice or Justices shall direct.

And be it enacted, That it shall be lawful for the Justice or Justices by whom any complaint under this Act shall be heard, to examine, on oath, as well any employer or servant, being the party, complainant or defendant, as any witness touching the matter of such complaint.

Clause XVIII.
Justices power to examine parties and witnesses on oath.

And be it enacted, That no order, award, or adjudication, touching any of the matters in this Act contained, nor any conviction of any offender under this Act, shall be quashed for want of form, and where any distress shall be made for any fine, penalty, or sum of money to be levied, under and by virtue of this Act, the distress itself shall not be deemed to be unlawful, nor the party making the same be deemed a trespasser on account of any defect or want of form in the summonses, warrant of distress, or any other proceedings relating thereto, nor shall such party be deemed a trespasser on account of any irregularity which shall be committed by the party distraining, but the person aggrieved by such irregularity shall and may recover full satisfaction for the special damage, if any, in an action upon the case, and no plaintiff shall recover in any action for such irregularity as aforesaid, if tender of sufficient amends shall have been made by, or on behalf of, the party distraining before such action brought.

Clause XIX.
Orders, &c., not to be quashed for want of form, &c.

And be it enacted, That within the meaning and for the purposes of this Act, all masters, mistresses, foremen, attorneys, agents, managers, overseers, clerks, and other persons engaged in the hiring, employing, or superintending the labor or service of any servant within the meaning of this Act, shall be and be deemed "employers;" and any money or other thing paid, or contracted to be paid, delivered, or given as a recompense, reward, or remuneration, for any labor, or other service done or to be done, whether within a certain time or to a certain amount, or for a time or an amount uncertain, shall be deemed and taken to be the "wages" of any servant; and any agreement, understanding, or arrangement whatsoever, on the subject of wages, whether written or oral, direct or indirect, to which any employer and any servant are parties, or are assenting, or by which they are mutually bound to each other, shall be and be deemed a "contract;" and all servants in husbandry, mechanics, artificers, handicraftsmen, laborers, persons employed in droghers or other vessels, and all household and other domestic servants shall be deemed to be comprised within the term "servant;" and every laborer or mechanic employed upon any sugar, cocoa, cotton, or coffee estate, shall be and be deemed to be a servant in husbandry; all words importing the singular number only, shall include several persons or things as much as one person or thing; and all words importing the masculine gender only, shall include females as well as males, unless it be otherwise especially provided, or there be something in the subject or context repugnant to such construction.

Clause XX.
Meaning of "Employer."

Of "Wages."

Of "Contract."

Of "Servant."

"Servant in Husbandry."
Singular number, and several persons, and masculine gender.

And be it enacted, That an Act passed by the Legislature of Grenada, in the year one thousand seven hundred and seventy, intituled, "An Act for the good government of servants, and ordaining the rights between masters and servants, and for the encouraging the importation of white Servants;" and an Act passed by the Legislature of Grenada in the year one thousand eight hundred and thirty-nine, intituled, "An Act for regulating the relative duties of masters and servants," shall be, and the same are hereby severally repealed.

Clause XXI.

Act of 3rd April, 1770, and Act of 2nd Dec., 1839, repealed.

And be it enacted, That nothing in this Act contained shall be construed

Clause XXII.

Nothing herein contained to repeal the "Act for granting an aid to Her Majesty to be applied for the purposes of immigration."

to alter or repeal any provision contained in the Act passed by the Legislature of Grenada, in the year one thousand eight hundred and forty-five, entitled, "An Act for granting an aid to Her Majesty, to be applied for the purposes of immigration."

No. CXLII.

An Act to make more effectual provision for the confinement of insane persons charged with offences; for the prevention of offences by insane persons; and for the better care of pauper lunatics. [10th August, 1847.]—Left to its operation by Order in Council, dated 30th October, 1847.

Preamble.

WHEREAS, persons charged with offences in Grenada, may have been, or may be, of unsound mind at the time of committing the offence wherewith they may have been, or shall be, charged, and by reason of such insanity may have been, or may be, found not Guilty of such offences, and it may be dangerous to permit persons in such cases to go at large:

Clause I.

The Jury, in case of any person charged with murder, &c., proving to be insane, to declare whether he was acquitted by them on account of insanity, and the Court shall order him to be kept in custody till the Governor's pleasure be known.

Be it, therefore enacted, by the Governor, the Council and Assembly of the Island of Grenada and its Dependencies, and it is hereby enacted by the authority of the same, that in all cases where it shall be given in evidence on the trial of any person charged with murder, or any other offence, that such person was insane at the time of the commission of such offence, and such person shall be acquitted, the Jury shall be required to find specially whether such person was insane at the time of the commission of such offence, and to declare whether such person was acquitted by them on account of such insanity, and if they shall find that such person was insane at the time of the committing such offence, the Court before which the trial shall be had, shall, if it shall be thought necessary or proper, order such person to be kept in strict custody in the Common Gaol until the pleasure of the Governor shall be known, and it shall thereupon be lawful for him to give such order for the safe custody of such person during the pleasure of the Governor in such place and in such manner as shall seem fit.

Clause II.

Persons indicted for any offence, &c., upon arraignment found to be insane, or if upon trial they shall be so found, &c., the Court shall order them to be kept in custody till the Governor's pleasure be known.

If any person, charged with any offence, be brought before the Court to be discharged for want of prosecution, and shall appear to be insane, the Court may impanel a Jury to try his sanity; and if found insane, Court may order him to be kept in custody, till Governor's pleasure be known.

And be it enacted, That if any person indicted in Grenada for any offence, shall be found to be insane by a Jury lawfully impanelled for that purpose, so that such person cannot be tried upon such indictment, or if upon the trial of any person so indicted such person shall appear to the Jury charged with such indictment to be insane, it shall be lawful for the Court before which such person shall be brought to be tried as aforesaid, to direct such finding to be recorded, and thereupon to order such person to be kept in strict custody and to be taken care of until the pleasure of the Governor shall be known; and if any person charged with any offence shall be brought before any Court to be discharged for want of prosecution, and such person shall appear to be insane, it shall be lawful for such Court to order a Jury to be impanelled, to try the sanity of such person, and if the Jury so impanelled shall find such person to be insane, it shall be lawful for such Court to order such person to be kept in strict custody in the Common Gaol, until the pleasure of the Governor shall be known: and in all cases of insanity so found it shall be lawful for the Governor to give the like order for the safe custody and care of such person so found to be insane, as the Governor is by this Act enabled to give in the cases of persons acquitted on the ground of insanity.

Clause III.

If any person be already acquitted of any offence, on the ground of insanity, and is detained in

And be it enacted, That if any person, before the passing of this Act, shall have been acquitted of any offence on the ground of insanity, at the time of the commission thereof, and shall have been detained in custody, as a dangerous person by order of the Court before which such person has

been tried, and shall remain in custody at the time of the passing of this Act, or if any person charged with any offence before the passing of this Act, shall have been indicted for any offence, and shall have been found insane, by a Jury impanelled for that purpose, so that such person could not be tried upon such indictment, and such person shall have been detained, and shall remain in custody at the time of the passing of this Act, it shall be lawful for the Governor to give the like order for the safe custody and care of such person, as the Governor is by this Act enabled to give in cases of persons who shall be acquitted on the ground of insanity.

And be it enacted, That if any person shall be discovered and apprehended in this Colony, under circumstances denoting a derangement of mind, and a purpose of committing some crime, for which, if committed, such person would be liable to be indicted, and information on the oath of one or more credible witness or witnesses shall be made before any two Justices of the Peace, stating facts from which it shall appear that such person was discovered and apprehended under the circumstances aforesaid, and that such person is a dangerous lunatic, or dangerous idiot, it shall be lawful for the said Justices, by warrant under their hands and seals, to commit such person to the Common Gaol in the Town of Saint George, there to be kept until such person shall be discharged or removed as hereinafter mentioned, and such Justices shall, if they shall so think fit, bind the person or persons swearing such information to appear at the next session of the Supreme Court of Judicature, which information shall be returned to the Clerk of the Crown, and the Judge or Judges presiding at such Court shall, if they or he shall consider it necessary so to do, examine into the case, and report to the Governor whether such person appears to them or him to be a dangerous lunatic, or dangerous idiot, and every such person so committed, shall be kept in strict custody in the said Gaol, until such person shall be discharged by the order of two Justices of the Peace, one whereof shall be one of the Justices who signed such warrant, or by the Supreme Court of Judicature, or one of the Judges of that Court, or until such person shall be removed, by order of the Governor, to a proper Asylum to be provided as hereinafter mentioned.

And be it enacted, That it shall be lawful for the Governor, if he shall so think fit, to direct by warrant under his hand, that any person who may be detained in custody, by virtue of any such warrant of such Justices as aforesaid, shall be removed to any such Asylum, and every such person so removed, shall remain under confinement in the Asylum to which such person may be removed, or in some other Asylum to which such person may be transferred or removed under the provisions of this Act, until it shall be certified to the Governor, by two Medical Practitioners, that such person has become of sound mind, or has ceased to be, or is not a dangerous lunatic or dangerous idiot, whereupon the Governor is hereby authorized to issue his warrant, to the keeper or other person having the care of such Asylum, directing that such person shall be discharged.

And be it enacted, That whenever and as soon as a proper Asylum shall be provided for the reception of lunatics, it shall be lawful for the Governor, if he shall so think fit, to direct by warrant, under his hand, that any person who may be imprisoned under any sentence of death, imprisonment, or transportation, or under a charge for any offence, or for not finding Bail for good behaviour, or to keep the Peace, or to answer a criminal charge, or in consequence of any summary conviction, or order by any Justice or Justices of the Peace, or under any other than civil process, and in respect of whom it shall be certified by two Medical Practitioners that such person is, or has become, insane, shall be removed to such Asylum, and every such person so removed shall remain under confinement in such Asylum, or in some other Asylum to which such person may be transferred or removed, under the provisions of this Act, so long as such person shall remain subject to be continued in custody, or until it shall be duly cer-

custody as a dangerous person; or, if any person charged with any offence, shall have been already found insane, so that he could not be tried, and such person be detained in custody at the passing of this Act, the Governor is to give orders for his safe custody, &c.

Clause IV.
If any person be apprehended under circumstances denoting derangement of mind, and a purpose of committing crime, how Justices of the Peace to proceed in the matter.

Clause V.
Governor's proceedings, when persons detained in custody under preceding Clause.

Clause VI.
When Lunatic Asylum provided, the Governor may direct any person imprisoned and certified to be insane, to be removed to such Asylum.

tified to the Governor, by two Medical Practitioners, that such person has become of sound mind, whereupon the Governor is hereby authorized, if such person shall remain subject to be continued in custody, to issue his Warrant to the keeper or other person having the care of any such Asylum, directing that such person shall be remitted to the Common Gaol, or if such person shall be entitled to his or her discharge, to direct the discharge accordingly.

Clause VII.
Transfer of Lunatics
from one Asylum to
another.

And be it enacted, That any such person may, during the time he or she shall remain in confinement, and subject to be continued therein, be transferred or removed by the warrant of the Governor, if he shall so think fit, from one Asylum to another Asylum, and in case it shall be deemed expedient by the Governor, it shall be lawful for him, if he shall so think fit, by warrant, under his hand, to direct that any such person shall be remitted to the Common Gaol, there to remain subject to the provisions of this Act.

Clause VIII.
Asylums to be pro-
vided at the Public
expense, by Justices
of the Peace, in ses-
sion, and licensed
by Governor.

And be it enacted, That any one or more proper Asylum or Asylums shall be provided at the public expense by the Justices of the Peace, in session, and licensed by the Governor for the reception and custody of any such lunatics, idiots, and insane persons, as aforesaid, and every such Asylum and the lunatics therein confined, shall be maintained at the public expense, and it shall be lawful for the Governor to appoint proper officers and servants thereto, and by, and with the advice of, the Council, from time to time, to make, frame and establish any rules and regulations which may be necessary or proper for the good conduct and management of every such Asylum, and from time to time to revoke, alter, or make new such rules and regulations.

Appointment of Of-
ficers, &c.

Rules and Regula-
tions to be esta-
blished.

And whereas, it is expedient to make provision for the care and maintenance of pauper lunatics in this Colony;

Clause IX.
Provisions made for
the care and main-
tenance of pauper
lunatics.

Be it, therefore, enacted, That upon its being made known to two or more Justices of the Peace, in any Town or Parish, by information, on the oath of any credible witness or witnesses, together with the certificate of one or more Medical Practitioner or Practitioners, that any poor person in such Town or Parish, is an idiot, or lunatic, or insane, and is destitute of the means of support, it shall be lawful for such Justices to place such poor person under the charge of some other person, of good repute, in such Town or Parish, who shall be willing to undertake such charge, and to make order for the payment to such person, of such monthly sum as shall, from time to time, be fixed upon by such Justices, as a reasonable allowance for the maintenance, medicine, clothing, and care of such poor person, which monthly sum, subject to the written approval of the Governor, shall be paid by the public Treasurer, out of the public monies in his hands, to or to the order of such person named by such Justices.

Clause X.
Meaning of "Go-
vernor."

And be it enacted, That the word "Governor" shall be construed to mean the Officer, for the time being, administering the government of Grenada.

No. CXLIII.

An Act for establishing a Public Library and Museum in Grenada. [10th August, 1847.]—Left to its operation by Order in Council, dated 30th October, 1847.

WHEREAS, a Public Library, containing a collection of Books of reference, and practical works, with a Museum of natural and scientific Subjects, and productions of Art, would be beneficial to the Community; And whereas it is expedient that such a Library, and Museum in connexion therewith, should be established and maintained under proper regulations;—

Be it, therefore, enacted, by the Governor, the Council and Assembly of the Island of Grenada and its dependencies, and it is hereby enacted by the Authority of the same, that a Public Library be established and kept in such part and place of the Town of Saint George, as shall be fixed upon by the Trustees under this Act, with the consent of the Governor, and that a Public Museum be in like manner established and maintained in the same place, or immediately adjacent thereto, and that for the purposes of such Museum, the Trustees of the aforesaid Library shall be the Trustees also of such Museum.

Clause I.
Establishment of a Public Library and Museum in Town of Saint George.

And be it enacted, That the said Library and Museum shall be denominated "The Grenada Library and Museum," and shall be open and free to all persons residing in Grenada, whether Civil or Military, or serving in Her Majesty's Navy, subject, nevertheless, to the rules and regulations to be by the Trustees, for the time being, made, as hereafter provided, and shall consist of such Books, Prints, Maps, and philosophical and other instruments and apparatus, and such natural and scientific Subjects and Productions of Art, as shall from time to time be contributed thereto by donation, and accepted by the Trustees for the time being, or be purchased out of any funds which may be raised for that purpose by individuals, or appropriated thereto by the Legislature.

Clause II.
"The Grenada Library and Museum," to be open to all persons residing in Grenada. Subject to rules, &c. Contents of Library and Museum.

And be it enacted, That the Governor shall be the Patron of such Library and Museum, the property whereof shall be vested in the Trustees thereof, for the time being, and such Trustees shall consist of the Chief Justice, for the time being, and any two Members of Her Majesty's Council, to be from time to time nominated by such Council, and of the Speaker of the House of Assembly, and any two Members thereof, to be from time to time nominated by such Speaker, and at any meeting of such Trustees, three thereof shall form a quorum.

Clause III.
Patron and Trustees, of whom to consist.

And be it enacted, That the Governor shall have power, from time to time, to appoint a Librarian, who shall also hold the Office of Curator of the Museum, and that the said Trustees, or a quorum thereof, shall, with the consent of the Governor, have power to make all necessary regulations for the good government, management, arrangement, distribution, preservation, access to, and use of the said Library and Museum, and for the occasional temporary loan of Books, not being Books of reference, therefrom, under such precautions and restrictions as to them shall seem right, and from time to time to alter or annul any such regulations, and make others in lieu thereof.

Clause IV.
Librarian and Curator of Museum to be appointed. Trustees to make rules, &c.

And be it enacted, That the word Governor, in this Act, shall be construed to mean the Officer for the time being administering the Government of Grenada; and that this Act shall be deemed and taken to be a Public Act, and shall be judicially noticed as such.

Clause V.
Meaning of "Governor."

No. CXLIV.

An Act to render the assignment of satisfied terms unnecessary.
[10th August, 1847.]—Left to its operation by Order in Council, dated 30th October, 1847.

WHEREAS, the assignment of satisfied terms has been found to be attended with great difficulty, delay and expense, and to operate in many cases to be prejudicial to the persons justly entitled to the lands to which they relate:

Be it, therefore, enacted, by the Governor, the Council and Assembly of Grenada and its Dependencies, and it is hereby enacted by the authority of the same, that every satisfied term of years, which either by express declaration, or by construction of Law, shall, upon the thirty-first day of

Clause I.
Every satisfied term of years, attendant on the inheritance, &c., to cease on 31st Dec., 1847.

Exception. December, one thousand eight hundred and forty-seven, be attendant upon the inheritance or reversion of any lands, shall, on that day, absolutely cease and determine, as to the land upon the inheritance or reversion whereof such term shall be attendant as aforesaid, except that every such term of years, which shall be so attendant as aforesaid, by express declaration, although hereby made to cease and determine, shall afford to every person the same protection against every incumbrance, charge, estate, right, action, suit, claim and demand, as it would have afforded to him if it had continued to subsist, but had not been assigned, or dealt with, after the said thirty-first day of December, one thousand eight hundred and forty-seven, and shall for the purpose of such protection be considered in every Court of Law and of Equity to be a subsisting term.

Clause II. Every term of years, to become satisfied after 31st December 1847, and attendant, &c., shall cease. And be it enacted, That every term of years now subsisting, or hereafter to be created, becoming satisfied after the said thirty-first day of December, one thousand eight hundred and forty-seven, and which, either by express declaration, or by construction of law, shall after that day become attendant upon the inheritance or reversion of any lands, shall immediately upon the same becoming so attendant, absolutely cease and determine as to the land upon the inheritance or reversion whereof such term shall become attendant, as aforesaid.

Clause III. Construction of words, &c. And be it enacted, That in the construction, and for the purposes of this Act, unless there be something in the subject or context repugnant to such construction, the word "lands," shall extend to all freehold tenements and hereditaments, whether corporeal or incorporeal, or any undivided part or share thereof, respectively; and every word importing the singular number only, shall extend and be applied to several persons or things, as well as one person or thing; and every word importing the masculine gender only, shall extend and be applied to a female as well as a male.

No. CXLV.

An Act, to authorize the temporary appropriation of a part of the monies applicable to Immigration purposes, for the general use of the Colony. [30th August, 1847.]—Left to its operation by Order in Council, dated 11th February, 1848.

No. CXLVI.

An Act to continue the Act for granting an aid to Her Majesty, to be applied for the purposes of Immigration. [6th January, 1848.]

No. 132.

WHEREAS, An Act was passed by the Legislature of Grenada, in the year one thousand eight hundred and forty-five, for granting an aid to Her Majesty, to be applied for the purposes of immigration, which was limited to continue in operation until the thirty-first day of December, one thousand eight hundred and forty-six, and from thence until the end of the next session of the Legislature, and which said Act has, by a subsequent Act, been limited to continue further in operation until the thirty-first day of December, one thousand eight hundred and forty-seven, and from thence until the end of the next session of the Legislature; and whereas, it is expedient to continue the said Act for a further limited period of time; Be it therefore enacted, by the Governor, the Council and Assembly of the Island of Grenada and its Dependencies, and it is hereby enacted by the

Clause I.

authority of the same, That the said Act for granting an aid to Her Majesty, to be applied for the purposes of immigration, shall continue in force until the thirty-first day of December, one thousand eight hundred and forty-eight, and from thence until the end of the then next session of the Legislature.

No. CXLVII.

An Act to Naturalize Joseph Orgias, Merchant, within the Island of Grenada and its Dependencies. [6th May, 1848.]—Confirmed by Order in Council, dated 16th December, 1848.

No. CXLVIII.

An Act to fix the Salaries of the future holders of certain public offices and situations within the Colony. [6th May, 1848.]—Left to its operation by Order in Council, dated 24th September, 1848.

WHEREAS, it is necessary, That the Salaries to be paid to the future holders of certain public offices and situations, within this government, should be fixed and determined; Be it, therefore, enacted, by the Governor, the Council and Assembly of Grenada and its dependencies, and it is hereby enacted by the authority of the same, That there shall be paid to the future holders of the offices named or described, in the Schedule hereunder written, the several annual salaries or sums of money set opposite to their respective names of office, in the said Schedule, that is to say—

Clause I.

Vide Acts,
Nos. 56,
87

The Chief Justice	£800	0	0
The Attorney-General	280	0	0
The Secretary, Register and Clerk of the Council .	400	0	0
The Provost Marshal	650	0	0
The Clerk of the Assembly	250	0	0
The Messenger of the Assembly	80	0	0
The Harbour Master	150	0	0
The Superintendent of Police	150	0	0
The Clerk of the Market	60	0	0
The Organist of the Church in Saint George .	60	0	0

The said several salaries being for all public services performable and to be performed by such persons or officers respectively, and chargeable against the Public, and payable quarterly by warrant of the Governor.

No. CXLIX.

An Act to provide a Salary for the Honorable William Darnell Davis, as Chief Justice of the Island of Grenada and its Dependencies. [1st June, 1848.]—Left to its operation by Order in Council, dated 24th September, 1848.

WHEREAS, Her Majesty the Queen hath been pleased to appoint the Honourable William Darnell Davis, to the office of Chief Justice of the Island of Grenada and its Dependencies, and it is expedient for the support and maintenance of the dignity and independence of that high and important situation, to grant a liberal salary to the said Chief Justice;

Preamble.

Clause I.
Salary of £800 a
year, provided.

Clause II.
Public Act.

Be it therefore enacted, by the Governor, the Council and Assembly of the Island of Grenada and its dependencies, and it is hereby enacted by the authority of the same, That there shall, in every year, be paid, by the Public Treasurer, unto the said William Darnell Davis, as Chief Justice of these Islands, a clear yearly sum or salary of Eight Hundred Pounds, to be paid quarterly, on warrant of the Governor, on the usual quarterly days of payment, and so, in proportion, for any less time than a quarter of a year, without any deduction, fee or charge whatsoever.

And be it enacted, That this Act shall be deemed and taken to be a public Act, and all persons whosoever are to take notice of it as such.

No. CL.

An Act to repeal two several Acts for the appointment of certain Vestries in Grenada and Carriacou, and to substitute this Act in lieu of them. [1st June, 1848.]—Left to its operation by Order in Council, dated 24th September, 1848.

Clause I.
Act dated 1831, and
Act dated 1832, re-
lating to Vestries,
repealed.

WHEREAS, it is expedient to repeal the two several Acts hereinafter mentioned, and to substitute this Act in lieu of them: Be it therefore enacted, by the Governor, the Council and the Assembly of the Island of Grenada and its dependencies, and it is hereby enacted by the authority of the same, That an Act passed by the Legislature of this Colony, in the year one thousand eight hundred and thirty-one, intituled "An Act to provide for the appointment of Vestries in the different out-parishes of this Island, and for the distribution of pews in the Churches thereof;" and another Act passed by the Legislature of this Colony, in the year one thousand eight hundred and thirty-two, intituled, "An Act to alter and amend an Act, intituled an Act to provide for the appointment of Vestries in the different out-parishes of this Island and its dependencies, and for the distribution of pews in the Churches thereof," shall be, and the same are, respectively, hereby repealed.

Clause II.
Vestries, of whom
to be composed; to
hold quarterly meet-
ings, at stated
times, and at other
times on special no-
tice given.

And be it enacted, That in each of the parishes of Saint John, Saint Mark, Saint Patrick, Saint Andrew, and Saint David, in the Island of Grenada, and in the parish and Island of Carriacou, the Rector, or, in his absence, the Officiating Minister for the time being, the members of the Council and Assembly, and the Magistrates, being respectively protestants, residing or possessing real property therein, shall constitute the Vestry of such parish, and shall hold quarterly meetings, in the parish Church, on the first Saturday in the months of January, April, July, and October, in every year, and at such other times as may be required, provided special notice thereof be given, by the Rector or Officiating Minister, in the Church, during Divine Service, or by notice affixed to the Church door, on the Sunday previous to the day of such extra meeting; and any three members of such Vestry being present, shall form a quorum, and be competent to proceed to business; and the Rector, or, in his absence, the Officiating Minister, shall be ex-officio chairman of such meeting; and in case of equality of votes, at any meeting of such Vestry, the chairman shall have the casting vote.

Three members to
form a quorum.

Rector, &c., to be
ex-officio Chairman,
and to have casting
vote.

Clause III.
Minutes of proceed-
ings to be kept, and
how.

Custody of Books.

Clause IV.
Vestry to allot Pews,

And be it further enacted, That minutes of proceedings, at each meeting, shall be duly kept by some person appointed to act as Clerk to such Vestry, and entered in a book to be provided for the purpose, at the charge of the parish, and shall be signed and certified by the chairman; which book shall be in the custody of the Rector or Officiating Minister of each parish, as well as all other books or registers belonging to such parish.

And be it further enacted, That every such Vestry shall allot the pews, slips, or sittings, in every such parish Church (and in every Chapel con-

nected therewith) at and after such moderate rate per annum, for each sitting, to be paid in advance, quarterly, half yearly, or yearly, as the Vestry shall appoint; and any person or persons refusing or omitting to renew his, her, or their application for such pew or sitting, within one month after the end of the term for which such payment in advance shall have been made, shall be deemed to have relinquished his, her, or their right thereto; and such pew or sitting may then be forthwith transferred or allotted to any other applicant for the same.

at moderate rate, per annum, payable in advance. Defaulters to be deemed to have relinquished right to Pew.

And be it further enacted, That all such rents or profits, arising from such pews or sittings, shall be collected by some one of every such Vestry, as shall be annually chosen by them for the purpose, and shall be appropriated by such Vestry to the discharge of all necessary expenses incurred in cleaning, furnishing, and repairing the respective Churches and Chapels, and maintaining due order and decency therein, and in the burying grounds attached thereto, as well as in the celebration of Divine Service.

Clause V.
Rents, how to be collected and appropriated.

Provided, and be it enacted, That nothing herein contained shall deprive the poor of any free sittings now or hereafter to be provided for them, in the respective Churches and Chapels, and that no rent shall be payable for any pew that may be set apart for the Rector or Officiating Minister, nor for any sittings for the poor, as aforesaid.

Clause VI.
Free sittings for the Poor.
Rector's Pews.

No. CLI.

An Act for repealing certain Duties of Customs. [1st June, 1848.]

—Assented to by Order in Council, dated 29th June, and such assent proclaimed in Grenada, 22nd September, 1849.

WHEREAS, by an Act, passed by and in the session of the Parliament of the United Kingdom of Great Britain and Ireland, holden in the eighth and ninth years of the reign of Her present Majesty, Queen Victoria, intituled, "An Act to regulate the trade of British Possessions abroad," certain Duties of Customs, set forth in the Table, in the eleventh section of the said Act, are imposed upon the importation into any of the British possessions in America or the Mauritius, of the several articles therein enumerated, as liable to duty, not being the growth, productions, or manufacture of the said United Kingdom, or of some one or other of the several British Possessions and Fisheries, in the said section named; And whereas, also, by the thirteenth section of the same Act, a certain other duty of ten pounds for every one hundred pounds of the value thereof is imposed upon the importation into any of the said British Possessions in America, or the Mauritius, of Sugar refined, in bond, in the said United Kingdom, not being of the growth of any of the British Possessions in America, or of the Mauritius, or of any of the British possessions within the limits of the East India Company's Charter; And whereas, also, by a certain other Act, passed by and in the session of the Parliament of the said United Kingdom, holden in the ninth and tenth years of the reign of Her said present Majesty, intituled, "An Act to enable the Legislature of certain British possessions to reduce or repeal certain Duties of Customs," it is among other things enacted, that if and whenever the Legislature of any of the said British possessions in America, do make or pass any Act or Acts reducing or repealing all or any of the said duties of Customs, so imposed, as aforesaid, by the said first-mentioned Act of the Imperial Parliament, upon any articles imported into such possession, and if Her Majesty, by and with the advice of Her Privy Council, do assent to such Act or Acts, such duties of Customs shall, upon the proclamation of such assent in the Colony, or at any time thereafter, which may be fixed by such Act, be so reduced or repealed in such possession, as if such reduction or repeal had

Preamble.
8 and 9 Victoria,
Act to regulate the trade of the British possessions abroad.
9 and 10 Victoria,
Act to authorise the repeal, by Colonial Legislatures, of first-mentioned Act.

been effected by an Act or Acts of the Imperial Legislature, any thing in any Act to the contrary notwithstanding ; And whereas, it is expedient to repeal all of the said duties of Customs so imposed as aforesaid :

Clause I.
After Her Majesty's
assent to this Act,
the first recited Act
shall be repealed as
relates to duties of
Customs in 11th
section thereof.

Be it therefore, and it is hereby enacted, by the Governor, the Council and the Assembly, of the Island of Grenada and its dependencies, in pursuance and exercise of the provisions and authority in that behalf, in, and by the said Act of the Parliament of the said United Kingdom, intituled, "An Act to enable the Legislatures of certain British possessions to reduce or repeal certain duties of Customs," contained and given ; That from and after the assent of Her Majesty in Council, to this present Act shall be given, and after the proclamation of such assent in this Colony, the several duties of Customs by the said eleventh section of the said Act of the Parliament of the United Kingdom, holden in the eighth and ninth years of the reign of Her said present Majesty, intituled, "An Act to regulate the trade of British possessions abroad," shall be, and they are hereby repealed in this Colony ; and upon the proclamation of such Her Majesty's said assent in Council, there shall not be raised, levied, collected, or paid unto Her Majesty, her heirs or successors in this Colony, the several duties of Customs, or any of them, as set forth in the Table of Duties, in the said eleventh section of the said Act, contained, upon the several goods, wares, or merchandize therein mentioned, not being of the growth, produce, or manufacture of the United Kingdom, or of the British possessions in America, or of the Mauritius, or of any of the British possessions within the limits of the East India Company's Charter, or the produce of any of the British possessions, any thing in the said Act to the contrary notwithstanding.

Clause II.
Customs duty of £10
per cent., in 13th
section of first re-
cited Act, on certain
sugars refined in
bond, repealed.

And be it enacted, that from and after the proclamation in this Colony of such Her Majesty's said assent in Council to this Act, the Customs Duty of ten pounds for every hundred pounds of the value thereof, as imposed by the thirteenth section of the said Act of the Parliament of the United Kingdom, holden in the eighth and ninth years of the reign of Her said Majesty, upon the importation into the British possessions in America, or the Mauritius, of certain sugar refined in bond, in the United Kingdom of Great Britain and Ireland, shall be, and the same is, hereby repealed, in this Colony, and from and after such proclamation there shall not be raised, levied, collected, or paid unto Her Majesty, her heirs or successors, the duty of ten pounds for every hundred pounds of the value thereof, in this Colony upon sugar refined in bond, in the said United Kingdom, not being of the growth, produce, or manufacture of any of the British possessions in America, or of the Mauritius, or of any of the British possessions within the limits of the East India Company's Charter, any thing in the said Act to the contrary notwithstanding.

Clause III. Repealed by Act No. CLXIII.

No. CLII.

Amended by Act,
No. 174.

An Act to make certain Tonnage Duties heretofore payable to, and applicable by, the Principal Officers of Her Majesty's Customs, to be hereafter payable to, and applicable by, the Public Treasurer of Grenada. [1st June, 1848.]—Specially confirmed by Order in Council, dated 29th June, 1849, and assent proclaimed in Grenada, 22nd September, 1849.

Preamble.
Act of 1835.

WHEREAS, by virtue of, or under, an Act of the Legislature of this Colony of Grenada, passed in the year one thousand eight hundred and thirty-five, intituled, An Act to repeal an Act, intituled, An Act to impose a duty on the tonnage of vessels entering at the Port of Saint George, in this Island,

and to appropriate the moneys to be raised thereby, and for other purposes, and to substitute the present provisions in lieu thereof; and by virtue of, or under a certain other Act of the Legislature of this Colony, passed in the year one thousand eight hundred and thirty-nine, to repeal the second Clause of the said Act, so passed in the year one thousand eight hundred and thirty-five, and to substitute the Act of one thousand eight hundred and thirty-nine, in lieu thereof, the Principal Officers of Her Majesty's Customs, in this Colony, are required to demand and receive, on the clearance of every vessel departing from this Colony, from and after the sixteenth day of March, one thousand eight hundred and forty-four, a duty at and after the rate of one shilling and six-pence, sterling money of Great Britain, for each and every ton of the registered burthen of every such vessel; provided that no vessel whatsoever, under the burthen of sixty tons, should be liable to pay such duty but once in each and every year; and the said duty is to be appropriated and applied as, in, and by the said first mentioned Act is specified and required; And whereas, by the second clause of an Act of the Legislature of this Colony, passed in the year one thousand eight hundred and forty-six, intituled, "An Act to alter and amend an Act, intituled, 'An Act to promote and encourage Steam Navigation between this Island and Great Britain, for conveyance of Mails and Passengers,' " it is enacted, that it shall be lawful for the Principal Officers of Her Majesty's Customs, and they are thereby required to demand and receive a duty at and after the rate of two shillings, sterling money of Great Britain, for each and every ton of coals which shall be sold by the Royal Mail Steam Packet Company, for consumption, in Grenada, or its Dependencies; and by the same second Clause of the last mentioned Act, such duty is directed to be appropriated and applied in the manner directed by the first mentioned Act; And whereas, by the sixth Clause of the said Act, passed in the year one thousand eight hundred and forty-six, it is enacted, that no Coals shall be delivered under and by virtue of that (the now reciting) Act, until after due entry thereof shall be made by the Superintendent or Agent of such Company, at Her Majesty's Customs, and the Public Treasury, and until payment of the duties thereby imposed on the quantity of Coals, from time to time, sold or disposed of, in like manner, as required by law, on the entry of vessels carrying cargo liable to duty; And whereas, in pursuance and exercise of the power and authority in the Legislatures of certain British possessions in America, in that behalf vested, under the provisions of an Act of the Parliament of the United Kingdom of Great Britain and Ireland, holden in the ninth and tenth years of the reign of Her present Majesty, Queen Victoria, intituled, "An Act to enable the Legislatures of certain British Possessions to reduce or repeal certain duties of Customs," the Legislature of this Colony has repealed, or is about to repeal, in this Colony, all the duties of Customs imposed by An Act of the said Parliament, holden in the eighth and ninth years of the reign of Her said Majesty, intituled, "An Act to regulate the Trade of British Possessions Abroad," upon the importation into this Colony of the several articles, in the table to the eleventh section, and in the thirteenth section, respectively, thereof enumerated; and consequent upon such repeal by the Legislature of this Colony, of such Duties of Customs, it is expedient also to repeal the said hereinbefore mentioned Acts, respectively passed in the years one thousand eight hundred and thirty-five, and one thousand eight hundred and thirty-nine, and the second clause, and part of the sixth clause of the said Act, passed in the year one thousand eight hundred and forty-six, and to substitute the Public Treasurer of this Colony as the Officer to receive the said tonnage duties, in lieu of the Principal Officers of Her Majesty's Customs.

Be it, therefore, enacted, by the Governor, the Council and the Assembly of the Island of Grenada and its Dependencies, and it is hereby enacted by the authority of the same, That the said two several Acts hereinbefore mentioned, to have been respectively passed in the years one thousand

Act of 1839.

Act of 1846, (No. 135) Clause 2.

Clause 6.

Statute 9 and 10, Victoria, to enable Colonial Legislatures to repeal Customs Duties imposed by 8 and 9 Victoria.

Clause I. Repealed Acts of 1835, and 1839, and 2nd Clause of Act of 1846, and part of 6th Clause of last

mentioned Act, repealed.

eight hundred and thirty-five, and one thousand eight hundred and thirty-nine, and the second clause of the said Act, hereinbefore mentioned, to have been passed in the year one thousand eight hundred and forty-six, and so much of the sixth clause of the same last mentioned Act, as relates to the payment to the principal Officers of Her Majesty's Customs, in this Colony, of the duty imposed by the second clause thereof, on the quantity of coals, from time to time, sold or disposed of, as therein mentioned, shall be, and the same are, hereby respectively repealed, except in so far only as the said two several Acts, hereinbefore mentioned to have been passed, respectively in the years one thousand eight hundred and thirty-five, and one thousand eight hundred and thirty-nine, respectively, repeal any Act or Acts, or part or parts of any Act or Acts, which repealed Act and Acts, and part and parts of Act and Acts shall be, and continue hereby further repealed.

Clause II.

Duty of 1s. 6d., payable to Officers of Customs under said Acts of 1835, and 1839, to be hereafter payable to the Public Treasurer.

And it is hereby enacted, That the duty of one shilling and six-pence, heretofore payable to the Principal Officers of Her Majesty's Customs, in this Colony, and applicable by them under the provisions of the said two several Acts, respectively passed in the years one thousand eight hundred and thirty-five and one thousand eight hundred and thirty-nine, and which are hereinbefore repealed, shall hereafter be payable to, and applicable by the Public Treasurer, under the provisions of this Act; and for that purpose it shall be lawful for the Public Treasurer, and he is hereby required to demand and receive, on the entry at his Office, of every vessel (except as hereinafter provided and enacted) arriving and discharging any goods, at any Port, in this Colony, a duty at and after the rate of one shilling and six-pence, of lawful money of Grenada, for each and every ton of the registered burthen of every such vessel; Provided always that no vessel whatsoever, under the burthen of sixty tons, shall be liable to pay such duty oftener than once in twelve successive calendar months.

Clause III.

Proviso.

As to steam and other mail vessels, and as to vessels importing coals for such steam vessels, and for Her Majesty's steam vessels of war.

Provided, and it is hereby further enacted, That notwithstanding anything in the preceding Clause of this Act contained to the contrary hereof, all steam and other vessels now, or hereafter to be employed in carrying the mails between England and this Island, or between this Island and the other Islands and Colonies in the West Indies, shall be permitted to arrive and to discharge all or any goods, at the Port of Saint George, and again to depart from this Colony, free and exempt from all and any tonnage duty and fees; and that all vessels employed, or to be employed, in importing into this Island, coals for the use of such steam vessels, or for Her Majesty's steam vessels of war, and not importing any other cargo or goods, whatsoever, into, nor taking any cargo or goods whatsoever, for exportation from this Colony, shall be free and exempt from all or any tonnage duty or fees, proof being given to the satisfaction of the Public Treasurer that the coals so imported are intended solely for the use of the said steam vessels, and of Her Majesty's steam vessels of war, and that they are, or are intended to be placed in a Depôt, to be appropriated exclusively for that purpose; And also that all vessels arriving at this Colony with immigrant laborers, and not importing any goods into, nor taking any cargo or goods for exportation from this Colony, shall be free and exempt from all or any tonnage duties and fees.

No. 139, Clause 6.

Clause IV.

Duty of 2s., heretofore payable to Officers of Customs, under Act of 1846, to be hereafter paid to Treasurer.

And it is hereby further enacted, That the duty of two shillings heretofore payable to the Principal Officers of Her Majesty's Customs, in this Colony, and applicable by them under the provisions of the said Act, passed in the year one thousand eight hundred and forty-six, the second clause and part of the sixth clause of which Act are respectively hereinbefore repealed, shall hereafter be payable to, and applicable by, the Public Treasurer, under the provisions of this Act, and for that purpose it shall be lawful for the Public Treasurer and he is hereby required to demand and receive from the Royal Steam Packet Company, or its Agent, a duty at and after the rate of two shillings, of lawful money of Grenada, for each and every ton of coals which shall be sold in this Colony, by the said Company, or its Agent, save

and except such quantity as shall or may be sold for the use of Her Majesty's steam vessels of war, and no coals shall otherwise be delivered under, or by virtue of the said Act, passed in the year one thousand eight hundred and forty-six, until payment of the said duty hereby made payable to the Public Treasurer.

Exception as to Her Majesty's steam vessels of war.

And it is hereby further enacted, That all duties payable, and to be paid under the authority and provisions of this Act, shall be appropriated and applied to Her Majesty, her heirs and successors, for the Public uses of this Colony.

Clause V.
Appropriation of duties under this Act.

And it is hereby further enacted, That if the Master of any vessel liable to any duty, under the provisions of this Act, or the Royal Mail Steam Packet Company, so liable, shall refuse or omit to pay to the Public Treasurer, on demand thereof, by him, such duties, respectively, the Master of such vessel, or the Royal Mail Steam Packet Company's Agent, for such refusal or omission, shall be deemed guilty of a misdemeanor.

Clause VI.
Penalty on refusing to pay duties.

And be it and it is hereby enacted, That nothing in this Act contained shall repeal, or in any manner affect two several Acts passed by the Legislature of this Colony, the one intituled, "An Act to provide for the collection at Carriacou of certain duties now payable to the Public Treasurer," and dated the eleventh day of July, one thousand eight hundred and forty-six, and the other, intituled, "An Act to provide for the collection, at the Port of Grenville, in Grenada, of certain duties now payable to the Public Treasurer," and dated the twelfth day of August, in the same year, or either of them.

Clause VII.
This Act not to repeal or affect certain acts since expired.

And it is hereby further enacted, That this Act shall not, nor shall any of the provisions thereof come into operation before nor until the assent of Her Majesty, by and with the advice of her Privy Council, shall be given to this Act, nor before, nor until such assent shall be proclaimed in this Colony.

Clause VIII.
Time of this Act coming into operation.

No. CLIII.

An Act to impose duties upon certain Goods, and to exempt from duty certain other Goods, upon the importation thereof into Grenada and its Dependencies; to authorize exporters of certain specific Goods imported, to have drawback or return of duty on the exportation thereof, within a certain time; and to allow certain Goods imported for transshipment to be landed duty free, on bond. [1st June, 1848.]—Left to its operation by Order in Council, dated 29th June, 1849.

WHEREAS, by an Act, passed by, and in the Session of, the Parliament of the United Kingdom of Great Britain and Ireland, holden in the eighth and ninth years of the reign of Her present Majesty, Queen Victoria, intituled, "An Act to regulate the trade of British possessions abroad," certain duties of Customs, set forth in the table in the eleventh section of the said Act, are imposed upon the importation into any of the British possessions in America or the Mauritius, of the several articles therein enumerated, as liable to duty, not being the growth, production, or manufacture of the United Kingdom, or of some one or other of the several British possessions and fisheries, in the said section named: And whereas, also, by the thirteenth section of the same Act, a certain other duty of ten pounds for every one hundred pounds of the value thereof, is imposed upon the importation into any of the said British possessions in America or the Mauritius, of Sugar refined in bond, in the United Kingdom, not being of the growth of any of the British possessions in America or of the Mauritius, or of any of the British possessions within the limits of the East India Company's Charter;

Preamble.
Statute 8 and 9, Victoria, to regulate the Trade of British Possessions abroad.

And whereas, also, by a certain other Act, passed by and in the Session of the Parliament of the United Kingdom, holden in the ninth and tenth years of the reign of Her said present Majesty, intituled, "An Act to enable the Legislatures of certain British possessions to reduce or repeal certain duties of Customs," it was among other things enacted, that if, and whenever, the Legislature of any of the said British possessions, in America, should make or pass any Act or Acts reducing or repealing all or any of the said duties of Customs, so imposed as aforesaid, by the said first mentioned Act of the said Parliament, upon any articles imported into such possession; and if Her Majesty, by and with the advice of Her Privy Council, should assent to such Act or Acts, such duties of Customs should, upon the proclamation of such assent in the Colony, or at any time thereafter, which might be fixed by such Act, be so reduced or repealed in such possession, as if such reduction or repeal had been effected by Act or Acts of the Parliament of the said United Kingdom, anything in any Act to the contrary notwithstanding; And whereas, by an Act passed or intended to be passed by the Legislature of Grenada, in conformity to the said Act, passed by, and in the Session of the said Parliament, holden in the ninth and tenth years of the reign of Her present Majesty, it is enacted or intended to be enacted, that from and after the assent of Her Majesty in Council, to the same Act, or intended Act, shall be given and proclaimed within this Colony, as well the several duties of Customs by the said eleventh section of the said Act of the said Parliament, passed in the eighth and ninth years of the reign of Her present Majesty, and the table thereto, as also the said Customs duty of ten pounds for every one hundred pounds of the value thereof, imposed by the said thirteenth section of that Act, upon the importation into the British possessions, in America or the Mauritius, of certain Sugar refined in bond in the said United Kingdom, and so much of the sixty-third section of that Act of Parliament as relates to, or in any manner affects, the said Act passed or intended to be passed by the Legislature of Grenada, shall, as regards the said Island of Grenada and its dependencies, be repealed; And whereas, consequent upon such repeal or intended repeal, it is expedient to revise and amend the Acts of the Legislature of this Colony, hereinafter mentioned and repealed.

9 and 10 Victoria, to enable Legislatures of certain British Possessions to reduce or repeal certain duties of Customs.

Act of the Legislature of Grenada about to be passed in conformity to said Act of 9 and 10 Victoria. No. 151.

Expedient to revise and amend the Acts hereinafter mentioned and repealed.

Clause I.
After Her Majesty's assent to said Act, about to be passed for repeal of Customs Act, this Act is to come into operation.

Clause II.
Part of 3rd Clause of Act No. 97, and other Acts, repealed.

Be it, therefore, enacted, by the Governor, the Council and the Assembly of the Island of Grenada and its Dependencies, and it is hereby enacted, by the authority of the same, that from and after the assent of Her Majesty in Council to the said Act so passed, or intended to be passed, by the Legislature of this Colony for the repeal, within this Colony, of the several Duties of Customs, in the eleventh and thirteenth sections, respectively, of the said Act of Parliament, of the eighth and ninth years of the reign of Her present Majesty, shall be given and proclaimed within this Colony, this Act shall come into operation, and not before.

And be it enacted, That so much of the third clause of An Act of the Legislature of this Colony, intituled "An Act to promote and encourage Steam Navigation between this Island and Great Britain for conveyance of mails and passengers," and dated the ninth of January, one thousand eight hundred and forty-one, as requires the commander, or next officer in command, of any Steam Vessel employed in carrying the mails between this and the surrounding Islands, to deliver to the Public Treasurer, and also to the Collector of Her Majesty's Customs, at the port of entry, manifests of all goods, wares, and merchandize, intended to be landed in this Colony, specifying as in the said Act now in recital mentioned; and as also requires that no goods be landed from the said Steam Boats or Vessels but by permission from the Collector of Her Majesty's Customs, and under such regulations as were then, or should in future be, established by the annual Money Bill; and also the following Acts of the Legislature of this Colony, that is to say, "An Act to impose duties upon certain goods, and to exempt from duty certain other goods, upon the importation thereof into Grenada

and its Dependencies," and bearing date the twentieth day of June, one thousand eight hundred and forty-three; "An Act to amend an Act, intituled, 'An Act to impose duties upon certain goods, and to exempt from duty certain other goods, upon the importation thereof into Grenada and its Dependencies;'" and bearing date the twenty-seventh day of September, one thousand eight hundred and forty-four; and "An Act to authorize exporters of certain specific articles to have drawback or return of duty on the exportation thereof," and bearing date the eleventh day of July, one thousand eight hundred and forty-six, shall be, and the same are, hereby severally repealed; Provided always, and it is hereby declared and enacted, That nothing in this Act contained shall repeal or in any manner affect, or be deemed or construed to repeal, or in any manner to affect the several following Acts of the Legislature of this Colony, that is to say, "An Act to provide for the collection at Carriacou of certain duties, now payable to the Public Treasurer," and "An Act to alter and amend an Act, intituled, 'An Act to promote and encourage Steam Navigation between this Island and Great Britain, for conveyance of mails and passengers,'" and respectively bearing date the eleventh day of July, one thousand eight hundred and forty-six; and "An Act to provide for the collection, at the Port of Grenville, in Grenada, of certain duties, now payable to the Public Treasurer," and bearing date the twelfth day of August, one thousand eight hundred and forty-six, or any or either of them, or any part thereof respectively.

And be it enacted, That there shall be raised, levied, and collected and paid unto Her Majesty, her heirs and successors, for the use and benefit of this Government, the several duties, as the same are respectively set forth, in figures, in the table of duties hereinafter contained, marked A., upon goods, wares and merchandize imported or brought into this Colony; and that the articles enumerated or mentioned in the table of exemptions, hereinafter contained, marked B, shall be imported without payment of any duty under this Act.

Provided nevertheless, and it is hereby further enacted, That all articles of British Colonial Produce, of any kind whatsoever, imported from any British Island, Colony, place or Country wheresoever, for transshipment only, shall be allowed to be imported, or imported and landed, previous to transshipment, without payment or duty; provided that such articles shall be exported from this Colony within three calendar months from the day of importation thereof; bond being, upon the importation thereof, given to Her Majesty, her heirs and successors, in the form or to the effect contained in the schedule hereunder written, or hereunto annexed, and marked No. 1, in double the value of such goods, with any two sufficient householders, to the satisfaction of the Public Treasurer, for the due exportation thereof.

And be it also further enacted, That after the said articles in the next preceding clause of this Act mentioned shall have been put on board, for exportation, if any person shall wilfully unlade, or cause the said articles, or any part thereof, to be unladen, except from inevitable accident occurring to the vessel on board of which such articles shall have been put, such person so offending shall be deemed guilty of a misdemeanor.

And be it also further enacted, That if from inevitable accident occurring to the vessel on board of which such articles as last aforesaid shall have been put, the same articles, or any part thereof, shall be unladen, the person or persons by whom the bond for the exportation of such goods was, upon the importation for transshipment thereof, so as aforesaid given, shall, within twenty-four hours after such produce shall be so unladen, enter into a similar bond for the exportation thereof, within three months from the day of the execution of such last mentioned bond, according to the form No. 2 in the Schedule hereunto annexed.

And be it enacted, That no goods shall be unladen from any ship or

Proviso.
As to Acts since
expired, and Act,
No. 135.

Clause III.
Duties, &c., specified in Schedule A, to be raised and imposed on goods imported.
Vide Act, No. 160.

Exemptions in
Schedule B, from
duties.

Clause IV.
British Colonial Produce imported for transshipment only, may be imported duty free, provided it be exported within three months, and on giving bond.

Clause V.
Such articles, in the last preceding clause, not to be unladen after transshipment, except from inevitable accident.

Clause VI.
If from accident, such articles be unladen, bond to be given for the exportation thereof.

Clause VII.

No Goods (except from Royal Mail Steam Packets), to be unladen before Manifest given.

Clause VIII.
Form of Manifest of cargo to be given by the Masters of Vessels to Public Treasurer, previous to discharging.

Clause IX.
Proviso.
As to Royal Mail Steam Packets.

Clause X.

Bill of Entry Inwards on importation of goods to be delivered by importer to Public Treasurer, previous to landing goods.

vessel (except from the Royal Mail Steam Packet Company's vessels, as hereinafter provided and enacted), arriving within this Colony, from any other place beyond this Colony, before a manifest of such goods shall have been given, by the Master of such vessel, to the Public Treasurer, and a Warrant granted for unloading, landing, or delivering the same, in the manner hereinafter directed; and if any such goods be unladen contrary hereto, the Master of such ship or vessel shall forfeit the sum of one hundred pounds.

And be it also further enacted, that the master of every ship or vessel, (except the master of every of the Royal Mail Steam Packet Company's Vessels) arriving within this Colony, shall, before any goods shall be unladen from such ship or vessel, deliver to the Public Treasurer a Manifest of the Cargo; and every such Manifest shall, when signed, be affirmed by the master before the Public Treasurer, at his office, and shall set forth the name of such ship or vessel, the name of the Master, and of the place or places where the goods were taken on board, respectively, and shall contain a particular account and description of all the packages on board, with the marks and numbers thereof, and the sort of goods, and different kinds of each sort, contained therein, to the best of the Master's knowledge, or if unknown to him, shall state "contents unknown," and of the particulars of such goods as are stowed loose, and the names of the respective shippers and importers or consignees, as far as the same can be known to the Master; and if the Master be the importer of any goods, he shall so state in the Manifest in the same manner and form, as if any other person had been the importer of the same goods.

Provided however, and be it also further enacted, That in order to prevent any detention of the Royal Mail Steam Packet Company's Vessels, it may be lawful for the Master thereof to land, and place in the stores of the said Company, any articles, on which any duty is, under this Act, leviable, in charge of the said Company's Agent, for the time being, who is hereby required, under a penalty of one hundred pounds, for omission so to do, to retain all such articles until he shall receive notice, under the Treasurer's hand, that such duties have been paid; Provided always, that the said Company's agent shall, and he is hereby strictly required to deliver to the Public Treasurer, within twenty-four hours after the arrival of any such vessel, a similar Manifest of all such articles as shall have been imported and landed in and from such vessel, and make a similar declaration as to the contents and other particulars of such Manifest, in all respects as is hereinbefore in that behalf required of Masters of vessels arriving within this Colony.

And be it also further enacted, That every importer or consignee of goods shall, before the same or any part thereof, be unladen from any ship or vessel, not being one of the Royal Mail Steam Packet Company's vessels, and every importer or consignee of goods imported in, and landed from, any of the said Company's vessels as aforesaid, shall, before such goods or any part thereof, be delivered by the said Company's agent to, or to the order of, such last mentioned importer or consignee, deliver to the Public Treasurer a Bill of Entry of such goods, fairly written in words at length, expressing the name of the vessel, and of the master of such vessel, and of the place from whence they were brought, and the name of the person in whose name the goods are to be entered, and the quantity and description of the goods, and the numbers and denominations or descriptions of the respective packages containing the goods, and whether any and which of them are imported and intended for the use of Her Majesty's Service, and whether any and which of them are articles imported or landed within this Colony for transhipment only, and in the margin of such Bill of Entry shall delineate the respective marks and numbers of such packages, and if the goods in such entry be charged or would be chargeable by this Act to pay duty according to the number, measure, or weight thereof, such number

measure or weight shall be stated in the entry, or if the goods in such entry be charged or would be chargeable by this Act to pay duty according to the value thereof, such value shall be stated in the entry; and such entry shall be affirmed in the presence of the Public Treasurer, at his office, by the declaration of the importer or consignee, or his agent, duly authorized by writing under his hand, which declaration shall be written or printed on the entry of such goods, and subscribed with the hand of the importer or consignee, or his agent, duly authorized as aforesaid: And if any person make the declaration not being the importer or consignee of such goods, nor his agent, duly authorized as aforesaid, such person shall forfeit the sum of forty pounds; and such importer or consignee shall, in respect of all the goods mentioned in such entry, and not intended to be warehoused by virtue of any act of the Legislature of this Colony, hereafter in that behalf to be passed, pay down at one and the same time to the Public Treasurer the whole amount of all and any duties which may be payable upon, or in respect of the same; and a certificate from the Public Treasurer to the person making such entry, of such duties having been so paid shall be a sufficient warrant to the master of the vessel (not being any of the Royal Mail Steam Packet Company's vessels) in which such goods respectively are imported, for the unloading, landing, or delivery of such goods, respectively; and a similar certificate from the Public Treasurer to the person making such entry of goods imported in, and landed from, any the said Company's vessels, and placed in charge of the said Company's agent as aforesaid, shall be a sufficient warrant to the said Company's agent for the delivery of such goods respectively.

And be it further enacted, That if any person shall, upon the importation of any goods, deliver to the Public Treasurer, under this Act, any Bill of Entry, in which any goods shall be expressed to be imported and intended for the use of Her Majesty's Service, and shall make and subscribe the declaration hereinbefore required to be written or printed upon such entry, and subscribed as aforesaid, and the same goods shall afterwards be converted, sold or disposed of, by and to and for the use or benefit of the importer or consignee, or be converted, sold, or disposed of by him, to or for any other purpose or use than the use of Her Majesty's Service, and shall not before such conversion, sale, or disposal thereof, pay, as he is hereby required and authorized to pay, to the Public Treasurer, who is hereby authorized and required to receive the several duties, respectively, inserted or described and set forth in figures, in the table of duties hereinafter contained, marked A, and which duties may be applicable to, and would, upon the importation of the same goods, have been charged upon them, if the same goods had been expressed in the Bill of Entry to be intended to be otherwise used, or had not been expressed in the Bill of Entry to have been imported and intended for the use of Her Majesty's Service, within this Government, such person so offending shall be deemed guilty of a Misdemeanor.

And be it further enacted, That if any goods, on which an advalorem duty shall be payable, under the provisions of this Act, shall hereafter be landed and delivered into the possession of the importer or consignee thereof, respectively, by virtue of, or under a certificate for that purpose, from the Public Treasurer, according to the declaration of value thereof, and the Public Treasurer shall afterwards have reasonable grounds to suspect that all or any of such goods are greater in value than that placed upon them in the Bill of Entry, by the party making the declaration of value, he, the Public Treasurer, within thirty days after the date of the same certificate, shall, and he is hereby required to apply to the Governor or other officer administering the government of this Colony, who, if he sees fit or expedient, shall and may issue a warrant under his hand and seal at arms, directed to any two competent persons, with liberty to them to appoint, and they are hereby authorized to appoint, a third person, by in-

Bill of Entry to be affirmed by declaration of importer.

Penalty on any other than the importer, or consignee, or his agent, making such declaration.

Importer, &c., to pay at one and same time to Public Treasurer all the duties liable on goods mentioned in such Bill of Entry. Treasurer's certificate of duties being paid, to be sufficient warrant to the Master of vessels for delivery of goods.

Clause XI. Importers of goods for Her Majesty's Service, converting them to other uses, without previously paying the duties they would otherwise have been liable to, guilty of a misdemeanor.

Clause XII. Treasurer having reasonable grounds of suspicion, that any goods imported and liable to an advalorem duty, have been undervalued by importer, to apply to Governor for search warrant, and how to proceed thereon to value goods.

dorsement upon the said warrant, under their respective hands and seals, to go, accompanied by a constable, in the day time, and enter into any house, out-house, shop, store, cellar, vault, warehouse, room or other place, and, in case of resistance, to break open doors, chests, trunks and other packages, there to examine, by inspection or otherwise, however, any such goods, and to value the same, and their valuation of such goods shall be final and conclusive upon all parties concerned; and the importer or consignee of such goods, respectively, shall forfeit, and shall, and he is hereby enjoined and required, within twenty-four hours after such valuation made, to pay to the Public Treasurer the additional duties, if any, that ought upon the importation, and before the landing or delivery of such goods, to have been paid to the Public Treasurer, under the provisions of this Act, together with ten per cent., upon the value of the entire of the said goods so imported; and in default thereof, such forfeitures and per centage, respectively, shall be recovered in the same manner as any forfeiture is, in and by this Act, directed and required to be recovered in a summary manner.

Clause XIII.
Valuers to be paid
£1 per diem each.

Clause XIV.
Penalty on persons
opposing valuers in
execution of their
duty.

Clause XV.
Master of vessel, if
required previous to
departure, to ac-
count for disposal
of all goods import-
ed in his vessel.
Penalty for leaving
the island without
accounting as
above.

Clause XVI.
Treasurer to pay to
persons on expor-
tation of goods,
the duty that had
been specifically im-
posed and paid on
the importation
thereof.

Proviso.
That the person so
exporting, produce
to Treasurer a cer-
tificate of the fact.

Exporter to give
previous notice to
the Treasurer of in-
tention to export,
and to furnish par-
ticulars.

Clause XVII.
Forfeitures incur-
red to be paid to
Public Treasurer.

And be it enacted, That each person appointed as aforesaid, to be a valuer, shall be allowed the sum of one pound, to be paid to him by the Public Treasurer, for each day he shall have been employed on such valuation, such payment to be made to each of the said valuers by the Public Treasurer immediately on the valuers giving in their report.

And be it enacted, That if any person whomsoever shall hinder, oppose, molest or obstruct the persons so to be appointed to value such goods, and the said constable or any or either of them, in the execution of their or his duty, under this Act, or shall attempt or endeavour to do so, or shall stove, break or otherwise destroy, or shall secrete or refuse to produce such goods, or any of them, so as to prevent, or shall in any other manner prevent the valuation thereof, then, and in every such case, the person so offending shall be guilty of a misdemeanor.

And be it enacted, That before any vessel shall depart this Colony, the Master thereof shall, if required, duly account to the satisfaction of the Public Treasurer, for the total quantity of all goods specified in the Manifest, which he shall, upon the arrival of such vessel, have delivered to the Public Treasurer; and if such vessel shall depart without the Master thereof having, if so required, duly accounted, as aforesaid, he, the said Master, shall forfeit a sum not exceeding forty pounds.

And be it enacted, That upon the exportation from this Colony of any goods which shall have been imported, and upon which, a specifically enumerated duty shall have been paid under this Act, upon such importation, it shall be lawful for the Public Treasurer, and he is hereby required, to return the duty so paid thereon, to the person exporting the said goods, if such goods be exported within four calendar months from the time of their importation, but not otherwise; Provided, nevertheless, that the person so exporting such goods shall not be entitled, by virtue of this Act, to such return of duty when the prime cost thereof shall be under twenty pounds, nor until, and unless the person so exporting such goods, his executors or administrators, shall, within twelve calendar months from the day of exportation thereof, bring and produce to the Public Treasurer, a certificate, signed by the Principal Officer of Customs, or Public Treasurer, of the place to which the said goods shall have been exported, or by the Chief Magistrate there, or under the hands and seals of two known Merchants there importing, that the said goods have been landed there, and testifying the landing thereof; and provided also that the exporter of such goods shall give notice to the Public Treasurer, of his intention to export such goods, and shall furnish a description of them, previous to the same being laden on board of any vessel for such exportation, according to the form of a Bill of Entry in that behalf hereunto annexed.

And be it enacted, That all forfeitures incurred and imposed under or by virtue of this Act, shall be paid to the Public Treasurer, who is hereby authorized to receive the same for the public uses of this Colony.

And be it enacted, That if any person or persons whomsoever shall become liable, under the provisions of this Act, to the payment of any of the forfeitures respectively hereinbefore imposed and specified, and for which no other remedy is given or provided in, or by this Act, then, and in every, or any such case, the same shall be enquired of, and adjudicated by, or before the Police Magistrate, or any two or more Justices of the Peace, and upon complaint thereof respectively made by, or on the behalf of, the Public Treasurer, and at his request, to such Police Magistrate, or two Justices of the Peace, such Police Magistrate or two Justices of the Peace shall, and he or they are hereby authorized and required to summon the person or persons accused to appear before him or them, at a time and place to be named in such summons, and if the person or persons summoned shall not appear accordingly, then upon proof of due service of such summons upon such person or persons, or by leaving the same at his, her or their usual place or places of abode, the Police Magistrate, or two Justices, may either proceed to hear and determine the case, or issue their warrant for apprehending such person or persons accused, and for bringing him, her or them before such Police Magistrates, or the said two Justices of the Peace.

Clause XVIII.
Mode of proceeding where parties become liable to the payment of forfeitures, and for which no remedy is provided by this Act.

And be it enacted, That in every case of a summary conviction for any offence under this Act, where the sum which shall be forfeited for the offence, or which shall be imposed as a penalty by the Police Magistrate, or any two Justices of the Peace, shall not be paid, either immediately after the conviction, or within such period not exceeding ten days, as the Police Magistrate or two Justices of the Peace shall, at the time of the conviction appoint, it shall be lawful for the Police Magistrate, or two Justices of the Peace, to commit the offender to the common gaol, there to be imprisoned for any term not exceeding one calendar month, where the amount of the sum forfeited shall not exceed five pounds; and for any term not exceeding three calendar months, where the amount shall exceed five pounds and shall not exceed twenty pounds; and for any term not exceeding six calendar months, in any other case, the imprisonment to cease in each of the cases aforesaid, upon payment of the amount.

Clause XIX.
When the sum forfeited in case of a summary conviction, be not paid within the period appointed by the Justices — how defaulters to be proceeded against.

And be it enacted, That in any case where a declaration is required or authorized to be made and subscribed under this Act, or by virtue of any power hereby given, any person who shall wilfully and corruptly make and subscribe any such declaration, knowing the same to be untrue in any material particular shall be deemed guilty of a misdemeanor.

Clause XX.
Making a false declaration, declared a misdemeanor.

And be it enacted, That no Action or Suit shall be commenced against any person or persons whomsoever for any matter or thing to be done in pursuance, or under the authority of, this Act, until after seven clear days notice, in writing, shall be thereof given to such person or persons, or left at his or their last or usual place or places of abode, signed by the Attorney at law for the intended plaintiff or plaintiffs, specifying the cause or causes of action or suit, nor after sufficient satisfaction made or tendered, nor after three calendar months next after the fact committed, for which such action or suit shall be so brought, and that the defendant or defendants in such action or suit may plead the general issue, and give this Act and the special matter in evidence at any trial or trials which shall be had thereupon, and that the matter or thing for or on which such action or suit shall be brought was done in pursuance, or under the authority of, this Act; and if the said matter or thing shall appear to have been so done, or if it shall appear that such action or suit was brought before seven clear days notice was given, as before directed, or that sufficient satisfaction was made or tendered as aforesaid, or if any such action or suit shall not be commenced within the time before for that purpose limited, then the Jury shall find for the defendant or defendants therein, and if a verdict be found for the defendant or defendants, or if the plaintiff or plaintiffs in such action or suit shall become nonsuited, or suffer a discontinuance of such action or

Clause XXI.
Mode of proceeding in case of action or suit.

suit, or if upon demurrer or demurrers in such action or suit, judgment shall be given for the defendant or defendants therein, then, in either of the cases aforesaid, such defendant or defendants shall have treble costs, and have such remedy and remedies for recovering the same as any defendant or defendants may have for recovery of his or their costs in other cases at law.

Clause XXII.
Schedules and forms
hereto annexed, to
be used in pursu-
ance of this act.

And be it further enacted, That the Schedules or Forms of Manifests, Bills of Entry, Declarations, Certificates, Bond for Exportation on transhipment of goods, and of other matters and things, hereunto annexed and numbered, 1 to 8, inclusive, shall be the forms to be used on all occasions, under and in pursuance of this Act.

TABLE A.

OF DUTIES UPON IMPORTATION.

Ale, porter, beer, cider and perry, per hogshead	£0 6 0
Ditto, per dozen quart bottles	0 0 3
Asses, per head	0 5 0
Beef and pork salted or cured, per barrel, 200 lbs.	0 8 0
Bread and biscuit, per 100 lbs.	0 1 0
Bricks and paving tiles, per thousand	0 5 0
Butter, per 100 lbs.	0 8 0
Candles, wax, sperm or composition, per 100 lbs.	0 8 0
Ditto, tallow, ditto	0 5 0
Cattle, neat, per head	0 10 0
Cheese, per 100 lbs.	0 10 0
Cigars, per thousand	0 8 0
Cocoa } per 100 lbs.	0 3 0
Coffee }	0 6 0
Flour, wheaten, per barrel, 196 lbs.	0 4 0
Fish, dry or salted, per quintal	0 1 0
Ditto pickled, per barrel, 200 lbs.	0 2 0
Hams, bacon, dried beef, or tongues, per 100 lbs.	0 5 0
Horses, per head	1 0 0
Lard, per 100 lbs.	0 4 0
Meal and other flour, not wheaten, per barrel, 196 lbs.	0 2 0
Mules, per head	0 10 0
Oil, (olive) per gallon	0 0 3
Peas, beans, barley, calavances, Indian corn, per bushel	0 0 3
Puncheon and hogshead packs, with heading	0 0 6
Ditto, without heading	0 0 4
Rice, per 100 lbs.	0 2 0
Soap, ditto	0 1 0
Shingles, Cypress or Wallaba, per thousand	0 4 0
Ditto, Cedar or White Pine	0 2 0
Staves, white oak, and heading	0 7 6
Ditto, red oak and others	0 5 0
Spirits and Cordials, per gallon	0 3 0
Sugar refined, per 100 lbs.	0 12 0
Ditto, Muscovado	0 8 0
Tea, per lb.	0 0 4
Tiles and slates, per thousand	0 6 0
Tobacco leaf, per 100 lbs., including snuff	0 12 0
Wines, bottled or not, per cent. advalorem	20 0 0
Wood, white, spruce, or yellow pine, per 1000 feet	0 5 0
Ditto, other descriptions	0 7 6
Ditto hoops, per thousand	0 5 0

And after the above rates for any greater or less quantity of every such articles.

Articles of any sort not above specifically
mentioned, nor exempted from duty } per cent. advalorem 5 0 0
under this Act.

TABLE B.

OF EXEMPTIONS FROM DUTY ON IMPORTATION.

Coin, bullion, diamonds, fresh fruit and vegetables, hay, straw, ice, fresh fish, manures of all kinds, printed books and papers, plants of all kinds, fresh meat, and any articles whatsoever intended for the use of Her Majesty's Service, and coals and other articles necessary for the use of the Royal Mail Steam Packet Company.

FORMS REFERRED TO IN THE FOREGOING ACT :—

Know all Men by these presents, that we, A.B. (the importer or consignee) of &c., C.D. of &c., and E.F. of &c., are holden and firmly bound unto our Sovereign Lady, Victoria, by the grace of God, of Great Britain and Ireland, Queen, Defender of the Faith, and so forth, in the sum of (double the value of the goods) of good and lawful money of Grenada, to be paid to our said Lady, the Queen, her heirs or successors, to which payment well and truly to be made, we bind ourselves and every and each of us jointly and severally, for and in the whole, our and every and each of our heirs, executors and administrators, firmly by these presents, sealed with our respective seals, dated this _____ day of _____ in the _____ year of the reign of her said Majesty, and in the year of our Lord one Thousand, &c.

No. 1.
Bond for exportation of goods imported for transshipment only.

Whereas, the above bound, A.B. did on the _____ day of _____ last (or instant), import into the Island of Grenada from _____ for transshipment only, the undermentioned articles on board the (ship, sloop, &c.), or vessel called _____ whereof _____ is Master. Now, the condition of the foregoing obligation is this, that if the same articles so imported from _____ for transshipment only, and every part thereof shall, within three calendar months from the day of the importation thereof into Grenada, be really and truly exported from Grenada, and if the same articles, or any part thereof, after it shall have been put on board of any vessel for exportation, shall not be wilfully unladen, or caused to be unladen, within the Government of Grenada, from on board of such vessel, except from inevitable accident occurring to the vessel on board of which such articles shall be put for exportation, then the foregoing obligation to be void; otherwise the same shall be and remain in full force and operation.

A.B. (L.S.) C.D. (L.S.) E.F. (L.S.)
Signed, sealed, and delivered by the several obligors in the presence of me.
(Name of Witness.)

(Here write down the description of the articles.)

Know all men (same as the obligatory part of the preceding Bond).
Whereas, the above bounden A. B. did on the _____ day of _____ import into the said Island of Grenada, from _____ for transshipment only, the undermentioned articles, (say if any part has been accidentally destroyed or lost, being part of a certain larger quantity thereof) on board the _____ whereof _____ was Master. And whereas, the same articles were, pursuant to the Act in such case made and provided, duly put on board the _____ called _____ whereof _____ was Master, for exportation within three calendar months from the day of the importation thereof; and whereas, from an inevitable accident occurring to the said _____ called _____ the same articles (or, as the case may be, the undermentioned part of the same articles) hath (or have) been unladen within the last twenty-four hours. Now, the condition of the foregoing obligation is this, that if the undermentioned articles so

No. 2.
Similar bond on unloading same articles, upon inevitable accident occurring, &c.

imported as aforesaid, from _____ for transhipment only, and which have been unladen in the manner and from the cause aforesaid, and every part thereof, shall, within _____ from the day of the execution of the above obligation, be really and truly exported from Grenada, &c., (the same as in the preceding Bond to the end).

No. 3.
Manifest Inwards.

Port of Grenada. Inwards Manifest of the Cargo of Master.

Amount and description and marks and numbers of packages.	Where taken on board.	Sort of Goods, and different kinds of each sort, so far as known.	Goods stowed loose.	Names of Shippers.	Names of importers or consignees.

I, A. B., Master of the Vessel above named, do affirm and declare, that the foregoing is, to the best of my knowledge and belief, a correct and faithful Manifest of the cargo of the said vessel.

A. B.

Affirmed and declared before me, at my Office, this _____ day of 184 _____
M. D., Public Treasurer.

No. 4.
Bill of Entry, Inwards.

Port of Grenada. Inwards Bill of Entry of Goods on board the Master.

Marks and numbers, denominations and descriptions of packages.	Quantity, number, measure, or weight, & description of goods.	From whence imported.	In whose name to be entered.	For whom imported.	Value.

I, A. B., of &c., do declare, that I am the (importer or consignee) (or agent of the importer or consignee) of the goods mentioned in this entry, and that the foregoing is a correct and faithful Bill of Entry of the same, and that I enter the same goods at the sum or prices, in figures, set opposite to the said respective goods, above specified, as the real and bona fide value of the same goods, respectively, at the place from whence they were imported.

Affirmed, &c. (as in No. 3.)

A. B.

No. 5.
Treasurer's Certificate of duties being paid.

Treasurer's Office, Grenada, Inwards, St. George's, _____ day of _____
This is to certify, That A. B., of &c. (or C. D., the agent of A. B., of &c.) the importer (or consignee) of the under-mentioned goods, has paid to me, pursuant to the Act in such case made and provided, the duties upon importation, and for unloading, landing and delivering the same to him, or to his order, from on board the _____
Warrant to the said Master. _____
(Describe the Goods.)

M. D., Public Treasurer.

Treasurer's Office, Grenada, Inwards, St. George's day of
 This is to certify that the undermentioned goods imported by (or con-
 signed to) A. B., of &c., in and on board the Master, are exempt
 from any duties, upon importation, and for unlading, landing, and deliver-
 ing the same Goods to him, or to his order, from on board the said Vessel,
 this shall be a sufficient Warrant to the said Master.
 (Describe the Goods.) M. D. Public Treasurer.

No. 6.
 Treasurer's Certifi-
 cate of Goods being
 exempt from duty.

We (name and describe the valuers) respectively declare that the true and
 real value of the Goods respectively contained in the annexed Bill of Entry,
 at the place from whence they are therein expressed to be imported is as
 follows, to the best of our knowledge and belief. (Here describe the
 Goods and their respective values.)

No. 7.
 Declaration or re-
 port of parties valu-
 ing Goods consider-
 ed by the Treasurer
 to be undervalued.

Signatures of Valuers.

Affirmed (&c., as in No. 3.)

Port of Grenada. Outwards. Bill of Entry of intended Goods
 to be exported on board the Master. No. 8.
 Bill of Entry, Out-
 wards.

Marks & number of packages.	Denomina- tion and de- scription of packages.	Quantity, num- ber, measure, or weight, and de- scription of goods.	By what vessel im- ported, & when.	By what vessel intended to be exported.	Amt. of Co- lonial duty paid upon importation thereof.	Name of Ex- porter.	Value.

I do declare that I am the Exporter of the Goods contained in this Bill of Entry, and that the foregoing is a correct and faithful Bill of Entry of the same.

(Signature.)

Affirmed and declared, &c.

No. CLIV.

An Act for the appointment of a Rural Police, and for reducing the number of the present Police Establishment. [3rd July, 1848.]—Left to its operation by Order in Council, dated 16th December, 1848.

WHEREAS, it has become necessary that a certain number of Constables should be appointed upon estates and settlements in each of the different parishes of this Colony, to be denominated Rural Police Constables :

Be it enacted, by the Governor, the Council and the Assembly of the Island of Grenada and its Dependencies, and it is hereby enacted by the authority of the same, That it shall be lawful for the Board of Magistrates, in each of the different parishes of this Island, and in Carriacou, to select and nominate one or more fit and proper persons, by and with the consent of such person or persons, to be appointed Rural Police Constables in each estate, village, or district, in each of the said parishes, according to the population of such estate, village, or district, in the proportion not exceed- ing one Constable for every fifty of such population.

Clause I.
 Boards of Magis-
 trates to nominate
 Rural Constables.

And be it enacted, that the names of the persons so selected by each of

Clause II.

Governor's approval and appointment of them.
Rural Constables to be sworn in, and their powers.

the Board of Magistrates aforesaid, shall be submitted to the Governor for his approval and appointment, and such as have been so approved and appointed shall be sworn in for the faithful discharge of the duties of Constable, before the Board of Magistrates, of the parish for which they shall have been appointed, and on having been sworn in shall have full power and authority to perform all the duties of a Constable.

Clause III.
Their duties.

And be it enacted, That it shall be the duty of each of the Rural Police Constables so appointed, to use his best exertions to preserve peace and order, in each of the estates, villages or districts for which he shall have been appointed, and, when called upon, to obey and execute the orders of the Magistrates of the parish, or any of them who may require his services, in respect to all such duties as the other Police Constables are subject to.

Clause IV.
Disobedience of conduct of Rural Constables.

And be it enacted, That each of the said Rural Police Constables shall, for disobedience of orders or improper conduct, be subject to the same penalties as the Constables appointed under the Police Act are subject to, on conviction before a Board of Magistrates, in the parish, consisting of not less than three.

Clause V.
Payments to them, when called upon to act.

And be it enacted, That each of the said Rural Police Constables when called upon to perform public duty, shall be entitled to be paid out of the Public Treasury at and after the rate of three shillings for each day he shall have been employed, such payment to be made to him on the certificate of the Board of Magistrates of the parish in which he shall have been employed.

Police Act, of 1836, (No. 89,) appointing 40 Constables.

And whereas by an Act of the Legislature of these Islands, passed on the second day of June, one thousand eight hundred and thirty-six, intituled, "An Act for establishing a Police, and to regulate the same," it is enacted that the number of Police Constables to be employed shall not exceed forty.

Clause VI.
Constables not to exceed twenty-six under said Act.

Be it enacted, That from and after the passing of this Act the number of Police Constables to be employed under the said Act shall not exceed twenty-six.

Clause VII.
Vacancies, how to be supplied.

And be it enacted, That when it shall happen, that a vacancy or vacancies occur, either by death, removal or otherwise, of any of the Police Constables appointed under the Police Act aforesaid, or any of the Rural Police appointed under this Act, it shall be lawful for others to be appointed in their stead under the same authority as directed in the said respective Acts.

No. CLV.

An Act for the management of the Colonial Customs of Grenada and for the warehousing of Goods at the Port of Saint George. [31st July, 1848.]

Preamble.
Act of Grenada Legislature for repealing the duties of Customs imposed by Statute 8 and 9 Victoria, to regulate the trade of the British possessions abroad.
Import and Export dues payable, by divers acts, to the Public Treasurer, as also certain tonnage duties and drawbacks.

WHEREAS, an Act hath been passed by the Legislature of Grenada, for repealing the duties of Customs imposed by the Act of Parliament, passed in the eighth and ninth years of the reign of Her Majesty, to regulate the trade of the British possessions abroad; And whereas, by divers Acts of the Legislature of Grenada, certain duties are directed to be raised, levied, and paid unto Her Majesty, her heirs and successors, by the hands of the Public Treasurer, for the use and benefit of the Government of this Colony, on the importation and exportation of certain Goods, and on or in respect of the tonnage of certain vessels, and certain drawbacks or returns of duties, are directed to be paid out of the Public Treasury, on the exportation of certain goods; And whereas, it is necessary and expedient to make further provision for the collection and management of the Colonial Customs of

this Colony, and to provide for the warehousing of Goods at the Port of Saint George :

Be it therefore enacted, by the Governor, the Council and Assembly of the Island of Grenada and its Dependencies, and it is hereby enacted by the authority of the same, that the collection and management of the Colonial Customs of Grenada shall continue and be vested in the Public Treasurer, who shall, in all matters and things relating to the execution of his duties, be subject to the authority, directions and control of the Governor, and shall obey such orders and instructions, as shall from time to time be issued to him, under the hand of such Governor.

And be it enacted, that it shall be lawful for the Governor from time to time, to appoint one or more person or persons, not exceeding three, to be called Colonial Revenue Officers, to act under the control and direction of the Public Treasurer, and to be assistant to him in the management and collection of the Colonial Customs, and in superintending the landing and lading of goods, imported into, or exported from, this Colony, and in all matters connected therewith, and such persons to be so appointed shall, at the time of the appointment, be of the full age of eighteen years, and not exceeding forty years.

Their ages to be from 18 to 40 years when appointed.—Vide Acts, Nos. 167 and 176.

And be it enacted, that every such person so to be appointed a Colonial Revenue Officer shall hold his office during the Governor's pleasure, and shall, during the time of his employment, receive a salary at and after the rate of one hundred and twenty pounds per annum, payable quarterly out of the Public Treasury, and shall obey all such orders and instructions as shall, from time to time, be given by the Public Treasurer.

And be it enacted, that if any such person so to be appointed shall take or receive any fee, perquisite, gratuity, or reward, whether pecuniary or of any other sort or description whatever, whether directly or indirectly from any person, on account of any thing done or to be done by him, in or in any way relating to his said office or employment, every such person so offending shall, on proof thereof to the Governor, be dismissed from his office, and if any person shall give, offer, or promise to give any such fee, perquisite, gratuity or reward, such person shall, for every such offence, forfeit the sum of one hundred pounds.

And be it enacted, that every such person so to be appointed, shall give Bond to Her Majesty, with two sureties, to be approved of by the Governor, in the sum of two hundred pounds conditioned, for the good conduct of such person, in his office or employment, as such Colonial Revenue Officer.

And be it enacted, that every such person so to be appointed, shall, on his appointment, make the following declaration before the Governor: "I A. B. do declare, that I will be true and faithful in the execution, to the best of my knowledge and power, of the trust committed to my charge and inspection in the service of the Colonial Customs of Grenada; and that I will not require, take or receive any fee, perquisite, gratuity or reward, whether pecuniary or of any sort or description whatever, either directly or indirectly, for any service, act, duty, matter or thing done or performed, or to be done or performed, in the execution or discharge of any of the duties of my office or employment, on any account whatever, other than what is or shall be allowed me by Law."

And be it enacted, That it shall be lawful for the Treasurer, by order in writing, from time to time, to appoint the hours of general attendance, of the officers or persons hereby authorized to be appointed, at their places of employment, and the times during such hours at which any particular parts of the duties of such persons respectively shall be performed by them.

And be it enacted, That no such person shall, during the time of his holding office, or being employed under or by virtue of this Act, be compelled to serve on any jury or inquest, or in the militia; any Law, usage, or custom to the contrary thereof notwithstanding.

Clause I.
Collection and management of Colonial Customs of Grenada to be continued and vested in Public Treasurer under the authority, &c., of the Governor.

Clause II.
Governor from time to time to appoint, not exceeding three, Colonial Revenue Officers under the Treasurer in collection and management of Colonial Customs, and in landing and lading goods.

Clause III.
Such Officers to be durante bene placito, at a salary of £120 payable quarterly. Officers to be obedient to Treasurer.

Clause IV.
Punishment on taking and on offering bribe.

Clause V.
Officers to give security.

Clause VI.
Officers to make declaration.

Clause VII.
Treasurer to appoint hours, &c., of Officers' attendance.

Clause VIII.
Officers' exemption from other services.

Clause IX.

Holidays specified.

And be it enacted, That the following days, to wit, Christmas-day and Good-Friday, in every year, and any days appointed by proclamation of Her Majesty, or the Governor, for the purpose of a general Fast, or of a general Thanksgiving, and the days appointed for the celebration of the birth-days of Her Majesty and her successors, and no other day, shall be kept as holidays by the Treasurer and the officers hereby authorized to be appointed.

Clause X.

Treasurer may direct Officers to examine goods laden or unladen, or intended so to be.

Penalty on obstruction of Officers therein.

And be it enacted, That it shall be lawful for the Treasurer to direct any of the said officers to examine any goods laden or unladen, or intended to be laden or unladen on board or from any ship or vessel arriving at or departing from this Colony either on board of any such ship or vessel, or before or after the shipment or landing of such goods; and if any person shall wilfully obstruct any such officer in the examination of any such goods, he shall forfeit the sum of one hundred pounds.

Clause XI.

Treasurer may direct Officers to board vessels. Officers to have free access to every part of ship, with power to fasten down hatchways, &c.

Goods found concealed to be forfeited.

And be it enacted, That it shall be lawful for the Treasurer to direct any of the said officers to board any ship arriving at or intending to depart from any Port in this Colony, and such officers shall have free access to every part of the ship, with power to fasten down hatchways and to mark any goods before landing, and to lock up, seal, mark or otherwise secure any goods on board such ship, and if any place or any box or chest be locked, and the keys be withheld, any such officer may open any such place, box or chest, in the best manner in his power, and if any goods be found concealed on board of any such ship, they shall be forfeited, and if any such officer shall place any lock, mark or seal upon any goods on board, and such lock, mark or seal be wilfully opened, altered or broken without the consent of the Treasurer or one of such officers, or if any of such goods

Penalty on persons breaking open locks &c., or secretly conveying away goods.

be secretly conveyed away, or if the hatchways, after having been fastened down by the officer be opened, the master of such ship shall forfeit one hundred pounds.

And whereas, the Port of Saint George, in Grenada, was, by the said Act to regulate the trade of the British possessions abroad, constituted and appointed to be a free warehousing Port for the warehousing of such goods as may be legally imported into such Port; and it is necessary to make regulations for the appointment of proper warehouses at such Port, and for the lodging and securing of goods therein:

Clause XII.

Treasurer to appoint ware-houses in Port of Saint George, to be approved of by Governor for securing goods.

Be it, therefore, enacted, That it shall be lawful for the Public Treasurer of Grenada, by notice in writing under his hand, to appoint, from time to time, such warehouses at the said Port of Saint George, as shall be approved of by the Governor, for the free warehousing and securing of goods therein, for the purposes of this Act, and also by like notice with the approval of the Governor to revoke or alter any such appointment, and every such notice shall be published in such manner as the Governor shall direct.

Clause XIII.

Importers of goods (except certain articles) on which a specific duty or ad-valorem duty not exceeding 5 per cent payable on importation, may warehouse same without payment of duty on first entry.

And be it enacted, That it shall be lawful for the importer of any goods, (bricks, paving tiles, lumber, and wood of every description, wood hoops, staves, packs, slates, and covering tiles excepted) which may be legally imported into the said Port, and whereon a specific duty, or an advalorem duty, exceeding five per cent., is or shall be payable upon the importation thereof into the said Port, under or by virtue of any Act, passed or to be passed by the Legislature of Grenada, to warehouse the same in the warehouse so appointed, without payment of any duty on the first entry thereof, subject nevertheless to the rules, regulations, restrictions, and conditions hereinafter contained.

Clause XIV.

Goods warehoused to be stowed, and warehouse locked and opened as Treasurer shall appoint.

And be it enacted, That all goods so warehoused shall be stowed in such parts or divisions of the warehouse, and in such manner, as the Treasurer shall direct, and that the warehouse shall be locked and secured in such manner, and shall be opened and visited only at such times and in the presence of such officers, and under such rules and regulations, as the Treasurer shall direct, and that all such goods shall, after being landed upon importation, be carried to the warehouse, or shall, after being taken out of

the warehouse for exportation or for stores, be carried to be shipped under such rules and regulations as the Treasurer shall direct.

And be it enacted, That upon the entry of any goods to be warehoused, the importer of such goods, instead of paying down the duties due thereon, shall give bond with two sufficient sureties, to be approved of by the Treasurer, in treble the duties payable on such goods, with condition for the safe depositing of such goods in the warehouse mentioned in such entry, and for the payment of all duties due upon such goods, or for the exportation thereof, or shipment thereof, as stores, according to the first account taken of such goods upon the landing of the same, and with further condition that no part thereof shall be taken out of such warehouse, until cleared from thence upon due entry and payment of duty, or upon due entry for exportation, or for shipment as stores, and with further condition that the whole of such goods shall be so cleared from such warehouse, and the duties upon any deficiency of the quantity, according to such first account, shall be paid within two years from the date of the first entry thereof, and if, after such bond shall have been given, the goods or any part thereof shall be sold or disposed of, so that the original bondholder shall be no longer interested in or have any control over the same, it shall be lawful for the Treasurer to admit fresh security to be given by the bond of the new proprietor or other person having control over such goods, with his sufficient sureties, and to cancel the bond given by the original bondholder of such goods, or to exonerate him to the extent of the fresh security so given.

Clause XV.
Bond to be given on warehousing goods.

On sale of warehoused goods, the original bond, as to goods sold, to be cancelled, and purchaser to give new bond.

And be it enacted, That if any goods which have been entered to be warehoused shall not be duly carried into and deposited in the warehouse, or shall afterwards be taken out of the warehouse without due entry and clearance, or having been entered and cleared for exportation or for shipment, as stores from the warehouse shall not be duly carried and shipped, or shall afterwards be reloaded, except with the permission of the Treasurer, such goods shall be forfeited.

Clause XVI.
Goods entered to be warehoused and not deposited in warehouse, or afterwards unduly taken out, or being cleared for exportation or stores, and not duly carried and shipped, or reloaded to be forfeited.

And be it enacted, That upon the entry and landing of any goods to be warehoused, one of the officers hereby authorized to be appointed shall take a particular account of the same, and shall mark the contents on each package, and shall enter the same in a book to be kept for that purpose; and no goods which have been so warehoused shall be taken or delivered from the warehouse except upon due entry and under the care of one of such officers for exportation, or for stores, or upon due entry and payment of duty for home use, and whenever the whole of the goods warehoused under any entry shall be cleared from the warehouse, or whenever further time shall be granted for any such goods to remain warehoused, an account shall be made out of the quantity upon which the duties have been paid, and of the quantity exported, and of the quantity (to be then ascertained) of the goods still remaining in the warehouse, as the case may be, deducting from the whole the quantity contained in any whole packages (if any) which may have been abandoned for duties, and if upon such account there shall in either case appear to be any deficiency of the original quantity, the duty payable upon the amount of such deficiency shall then be paid.

Clause XVII.
Officers to take particular account of goods to be warehoused.

Goods warehoused not to be taken out except on due entry, &c.

Deficiencies to be paid.

And be it enacted, That it shall be lawful for the Treasurer, under such regulations as he shall see fit, to permit moderate samples to be taken of any goods so warehoused, without entry and without payment of duty except as the same shall eventually become payable as on a deficiency of the original quantity.

Clause XVIII.
Samples of warehoused goods allowed.

And be it enacted, That it shall be lawful for the Treasurer, under such regulations as he shall see fit, to permit the proprietor, or other person having control over the goods so warehoused, to sort, separate, and pack and repack any such goods, and to make such lawful alterations therein, or arrangements and assortments thereof, as may be necessary for the preser-

Clause XIX.
Warehoused goods may be sorted, &c.

Or destroyed, without prejudice to claim for duty.
Or abandoned to Treasurer for duties.

vation of such goods, or in order to the sale, shipment, or legal disposal of the same, and also to permit any parts of such goods so separated to be destroyed, but without prejudice to the claim for duty upon the whole original quantity of such goods; Provided always, That it shall be lawful for any person to abandon any whole packages to the Treasurer, for the duties, without being liable to any duty upon the same.

Clause XX.
Removal of goods from one warehouse to another.

And be it enacted, That goods warehoused at the said 'Port, being first duly entered, may be delivered under the authority of the Treasurer, without payment of duty, except on any deficiency thereof, for the purpose of removal to another warehouse at the said Port, under bond to the satisfaction of the Treasurer, for the warehousing such goods at such Port.

Clause XXI.
Warehoused goods to be cleared for exportation or consumption within two years.

And be it enacted, That all goods which have been so warehoused or re-warehoused shall be duly cleared, either for exportation or for home consumption, within two years from the day of first entry, for the warehousing thereof, and if any such goods be not so cleared, it shall be lawful for the Treasurer to cause the same to be sold, and the produce shall be applied first to the payment of the duties, next of warehouse rent and other charges, and the overplus, if any, shall be paid to the proprietor; Provided always, that it shall be lawful for the Governor to grant further time for any such goods to remain warehoused if he shall see fit so to do: Provided also, that foreign salted beef or pork so warehoused or re-warehoused may be delivered into the charge of one of the officers hereby authorized to be appointed to be shipped as stores, and such beef and pork shall and may be so shipped without entry or payment of any duty for every ship of the burden of sixty tons at least, bound upon a voyage to foreign parts, the probable duration of which, out and home, will not be less than forty days, and such foreign beef or pork so shipped shall be deemed to be exported: Provided also, that such foreign beef and pork shall be duly borne upon the ship's clearance, and shall be shipped in such quantities and subject to such directions and regulations as the Governor shall appoint: Provided also, that the surplus stores of such foreign beef or pork may be delivered into the charge of one of such officers to be re-shipped as stores under such directions and regulations as the Governor shall appoint, and any such beef or pork shipped as stores contrary to such directions and regulations shall be forfeited.

Governor may grant further time for goods to remain warehoused.
 proviso.
That foreign salted beef or pork, warehoused, may be shipped as stores, &c.

Clause XXII.
Bond to be given on entry outwards of warehoused goods.

And be it enacted, That upon the entry outwards of any goods to be exported from the warehouse, the person entering the same shall give security by bond in treble the duties of importation on the quantity of such goods, or if such goods are prohibited to be imported for home use in double the value of such goods, with two sufficient sureties to be approved by the Treasurer, that the same shall be landed at the place for which they be entered outwards, or be otherwise accounted for to the satisfaction of the Treasurer.

Clause XXIII.
Goods illegally unladen to be forfeited.

And be it enacted, That all goods, which shall be unladen from any ship or vessel arriving within this Colony from any other place beyond this Colony, contrary to the provisions of, or regulations contained in, this or any Act passed or to be passed by the Legislature of this Colony, shall be forfeited.

Clause XXIV.
Goods illegally shipped or laden, to be forfeited.

And be it enacted, That all goods which shall be shipped or laden on board of any vessel for exportation from this Colony, contrary to the provisions of or regulations contained in this or any Act passed or to be passed by the Legislature of this Colony, shall be forfeited.

Clause XXV.
Vessels, boats, carriages, &c., made use of in the removal of goods liable to forfeiture, shall be forfeited.
Persons assisting therein, liable to penalty.

And be it enacted, That all vessels, boats, carriages, and cattle made use of in the removal of any goods liable to forfeiture under this or any Act passed or to be passed by the Legislature of Grenada, relating to the Colonial Customs of this Colony shall be forfeited; and every person who shall assist or be otherwise concerned in the unshipping, landing or removal, or in the harboring of such goods, or into whose hands or possession the same shall knowingly come, shall forfeit the treble value thereof, or the

penalty of one hundred pounds, at the election of the Treasurer, and the averment in any information or libel to be exhibited for the recovery of such penalty, that the Treasurer has elected to sue for the sum mentioned in the information, shall be deemed sufficient proof of such election, without any other or further evidence of such fact.

And be it enacted, That all goods and all ships, vessels and boats, and all carriages, and all cattle liable to forfeiture under this or any Act passed or to be passed by the Legislature of Grenada, relating to the Colonial Customs of this Colony, shall and may be seized and secured by the Treasurer, or by any officer or person employed under the authority of this Act, or any officer of Police, and every person who shall in any way hinder, oppose, molest or obstruct the Treasurer, or any person so authorized or employed as aforesaid, or such Police Officer, in the exercise of his office, or any person acting in his aid or assistance, shall, for every such offence, forfeit the sum of one hundred pounds.

Clause XXVI.
Goods, boats, &c.,
liable to forfeiture,
may be seized by
Treasurer or Offi-
cers.

Penalty on ob-
structing seizure.

And be it enacted, That if any officer or person hereby authorized to be appointed, or any Police Officer, shall make any collusive seizure, or deliver up, or make any agreement to deliver up, or not to seize any vessel, boat, or goods, liable to forfeiture under this or any Act passed or to be passed by the Legislature of Grenada, relating to the Colonial Customs of this Colony, or shall take any bribe, gratuity, recompence or reward, for the neglect or non-performance of his duty, every such officer or person shall forfeit for every such offence the sum of one hundred pounds, and every person who shall give or offer, or promise to give or procure to be given any bribe, recompence or reward to, or shall make any collusive agreement with, any such officer or person, as aforesaid, to induce him in any way to neglect his duty, or to do, conceal, or connive at any thing whereby the provisions of any such Act may be evaded, shall forfeit the sum of one hundred pounds.

Clause XXVII.
Persons making col-
lusive seizures, or
taking bribe for
non-performance of
duty, liable to pen-
alty.

Likewise, persons
offering bribe.

And be it enacted, That all vessels, boats, goods, and other things which shall be seized or forfeited under this or any Act, passed or to be passed by the Legislature of Grenada relating to the Colonial Customs of this Colony, shall be deemed and taken to be condemned, and may be dealt with in the manner hereinafter directed, unless the person from whom such vessels, boats, goods, and other things shall have been seized, or the owner of them, or some person authorized by him, shall, within one calendar month from the day of seizing the same, give notice in writing, to the Treasurer, that he claims the vessel, boat, goods or other things, or intends to claim them.

Clause XXVIII.
Forfeiture, how to
be disposed of.

And be it enacted, that under the authority of a writ of assistance granted by the Supreme Court of Judicature, or the Court of Vice Admiralty of Grenada (who are hereby authorized and required to grant such writ of assistance, upon application made to them for that purpose by the Treasurer), it shall be lawful for the Treasurer, or any Officer to be appointed under this Act, taking with him a Peace Officer, to enter any building or other place in the day time, and to search for, and seize and secure any goods liable to forfeiture, under this or any Act, passed or to be passed by the Legislature of Grenada, relating to the Colonial Customs of this Colony, and in case of necessity to break open any doors and any chests or other packages for that purpose, and such writ of assistance, when issued, shall be deemed to be in force during the whole of the reign in which the same shall have been granted, and for twelve months from the conclusion of such reign.

Clause XXIX.
Writ of assistance.

And be it enacted, That if any person shall, by force or violence, assault, resist, oppose, molest, hinder, or obstruct the Public Treasurer, or any Officer appointed under this Act, in the exercise of his office, or any person acting in his aid or assistance, such person being thereof convicted, shall be deemed guilty of a misdemeanor.

Clause XXX.
Persons obstruct-
ing Treasurer or
Officers, to be deem-
ed guilty of misde-
meanor.

And be it enacted, That all things which shall be seized, as being liable to forfeiture, under this or any Act, passed or to be passed by the Legisla-

Clause XXXI.
Treasurer to secure
forfeitures, and af-

ter condemnation to sell them. ture of Grenada, relating to the Colonial Customs of this Colony, shall be taken forthwith and delivered into the custody of the Treasurer, who shall secure the same by such means and in such manner as shall be provided and directed by the Governor, and, after condemnation thereof, the Treasurer shall cause the same to be sold by Public Auction, to the best bidder, and the produce of such sale shall be applied by him as hereinafter directed.

Clause XXXII.
Recovery of penalties.

And be it enacted, That all penalties and forfeitures, which may be incurred under this or any Act, passed or to be passed by the Legislature of Grenada, relating to the Colonial Customs of this Colony, and not thereby directed to be recovered on summary conviction, shall and may be prosecuted, sued for, and recovered, in any Court of Record, or in the Vice Admiralty Court of Grenada.

Clause XXXIII.
In cases of seizure, the Court may order delivery of the goods seized, on bond being given.

And be it enacted, That if any goods, or any ship, or vessel shall be seized, as forfeited, under this or any Act, passed or to be passed by the Legislature of Grenada, relating to the Colonial Customs of this Colony, and detained therein, it shall be lawful for the Judge or Judges of the Court, having jurisdiction, to try and determine such seizures, with the consent of the Treasurer, to order the delivery thereof, on security, by bond, with two sufficient sureties, to be first approved by such Treasurer, to answer double the value of the same, in case of condemnation, and such bond shall be taken to the use of Her Majesty, in the name of the Treasurer, and such bond shall be delivered and kept in the custody of such Treasurer, and in case the goods, or the ship, or vessel shall be condemned, the value thereof shall be paid into the hands of the Treasurer, who shall thereupon cancel such bond.

Clause XXXIV.
In whose name suit to be brought.

And be it enacted, That no suit shall be commenced for the recovery of any penalty or forfeiture under this or any Act passed, or to be passed by the Legislature of Grenada, relating to the Colonial Customs of this Colony, except in the name of the Treasurer or the Attorney-General, or other Chief Law Officer of the Crown, unless otherwise permitted or authorized by such Act.

Clause XXXV.
Proofs to lie on owner or claimant of goods seized.

And be it enacted, That if any goods shall be seized for non-payment of duties or any other cause of forfeiture, and any dispute shall arise whether the duties have been paid for the same, or the same have been lawfully imported, or lawfully laden or exported, the proof thereof shall lie on the owner or claimer of such goods, and not on the Treasurer or Officer who shall seize or stop the same.

Clause XXXVI.
Claims, how to be entered.

And be it enacted, That no claim to any thing seized under this or any Act, passed or to be passed by the Legislature of Grenada, relating to the Colonial Customs of this Colony, and returned into any Court of Record or Vice Admiralty Court for adjudication, shall be admitted, unless such claim be entered in the name of the owner with his residence and occupation, or unless oath to the property in such thing be made by the owner, or by his attorney or agent, by whom such claim shall be entered to the best of his knowledge and belief, and every person making a false oath thereto shall be deemed guilty of a misdemeanor, and shall be liable to the pains and penalties to which persons are liable for a misdemeanor.

Clause XXXVII.
Claimants to give security.

And be it enacted, that no person shall be admitted to enter a claim to any thing seized in pursuance of this or any Act, passed or to be passed by the Legislature of Grenada, relating to the Colonial Customs of this Colony, and prosecuted in any such Court, until sufficient security shall have been given in the Court where such seizure is prosecuted, in a penalty not exceeding sixty pounds, to answer and pay the costs occasioned by such claim, and in default of giving such security, such things shall be adjudged to be forfeited, and shall be condemned.

Clause XXXVIII.
Notice of action to persons under this Act.

And be it enacted, That no writ shall be sued out against, nor a copy of any process served upon the Treasurer, or any officer or person appointed or employed, or acting under the authority of this Act, for any thing

done in the exercise of his office until one calendar month after notice in writing shall have been delivered to him, or left at his usual place of abode, by the Attorney or Agent of the party who intends to sue out such writ or process, in which notice shall be clearly and explicitly contained, the cause of the Action, the name and place of abode of the person who is to bring such Action, and the name and place of abode of the Attorney or Agent, and no evidence of the cause of such Action shall be produced, except of such as shall be contained in such notice, and no verdict shall be given for the Plaintiff, unless he shall prove on the trial that such notice was given, and in default of such proof the defendant shall receive in such Action a verdict and costs.

And be it enacted, That every such Action shall be brought within three calendar months after the cause thereof, and the defendant may plead the general issue, and give the special matter in evidence, and if the Plaintiff shall become nonsuited, or shall discontinue the Action, or if upon a verdict or demurrer, judgment shall be given against the Plaintiff, the defendant shall receive treble costs, and have such remedy for the same as any defendant can have in other cases where costs are given by Law.

Clause XXXIX.
Limitation of actions against persons after cause thereof.

And be it enacted, That in case any information or suit shall be brought to trial on account of any seizure made under this or any Act, passed or to be passed by the Legislature of Grenada, relating to the Colonial Customs of this Colony, and a verdict shall be found for the claimant thereof, and the Judge or Court before whom the cause shall have been tried shall certify on the record that there was probable cause of seizure, the claimant shall not be entitled to any costs of suit, nor shall the person who made such seizure be liable to any Action, Indictment, or other suit or prosecution, on account of such seizure, and if any Action, Indictment, or other suit or prosecution shall be brought to trial against any person on account of such seizure, wherein a verdict shall be given against the defendant, the plaintiff, besides the things seized, or the value thereof, shall not be entitled to more than two pence damages, nor to any costs of suit, nor shall the defendant in such prosecution be fined more than one shilling.

Clause XL.
Judge's Certificate in any action, of probable cause of seizure, shall deprive claimant of costs.

And be it enacted, That it shall be lawful for such Treasurer or Officer, within one calendar month after such notice, to tender amends to the party complaining, or his Agent, and to plead such tender in bar to any action, together with other pleas, and if the Jury shall find the amends sufficient they shall give a verdict for the defendant, and in such case, or in case the plaintiff shall become non-suited, or shall discontinue his action, or judgment shall be given for the defendant, upon demurrer, then such defendant shall be entitled to the like costs, as he would have been entitled to, in case he had pleaded the general issue only; Provided always, that it shall be lawful for such defendant, by leave of the Court, at any time before issue joined, to pay money into Court as in other actions.

Clause XLI.
Tender of amends.

And be it enacted, That in any such action, if the Judge or Court, before whom such action shall be tried, shall certify, upon the record, that the defendant or defendants in such action acted upon probable cause, then the plaintiff, in such action, shall not be entitled to more than two pence damages, nor to any costs of suit.

Clause XLII.
Judge's certificate of probable cause of seizure to deprive plaintiff of more than two-pence damages.

And be it enacted, That all penalties and forfeitures recovered under this or any Act, passed or to be passed by the Legislature of Grenada, relating to the Colonial Customs of this Colony, shall be paid into the hands of the Treasurer, for the public uses of the Colony, unless otherwise directed by any such Act; Provided always, that it shall be lawful for the Governor, in any case, to order a part of the net produce, not exceeding one-third part thereof, after deducting the charges of prosecution to be paid by the Treasurer to the officer making the seizure, or to the person or persons on whose information such seizure shall be made.

Clause XLIII.
Application of penalties and forfeitures.

And be it enacted, That all actions or suits for the recovery of any of the penalties or forfeitures imposed by this or any Act, passed or to be

Clause XLIV.
Limitation of time

for recovery of penalties or forfeitures.

Clause XLV.
Appeals.

Clause XLVI.
Sentence of Court restoring ship, &c., seized, not to be suspended by appeal.

Clause XLVII.
In what cases Governor may order restoration of seizures, on terms.

Clause XLVIII.
In what cases Governor may remit forfeitures or mitigate penalties.

Clause XLIX.
Meaning of words.

Clause L.
Commencement of this Act.

passed by the Legislature of Grenada, relating to the Colonial Customs of this Colony, may be commenced or prosecuted at any time within three years after the offence committed, by reason whereof such penalty or forfeiture shall be incurred, any law, usage or custom to the contrary notwithstanding.

And be it enacted, That no appeal shall be prosecuted, from any decree or sentence of any Court in this Colony, touching any penalty or forfeiture imposed by this or any Act relating to the Colonial Customs of this Colony, unless the inhibition shall be applied for, and decreed within twelve months from the time when such decree or sentence was pronounced.

Provided always and be it enacted, That in any case, in which proceedings shall be instituted in any Court of Record in, or the Vice Admiralty Court of Grenada against any ship, vessel, boat, goods, or effects, for the recovery of any penalty or forfeiture, under this or any Act, passed or to be passed by the Legislature of Grenada, relating to the Colonial Customs of this Colony, the execution of any sentence or decree restoring such ship, vessel, boat, goods, or effects to the claimant thereof, which shall be pronounced by such Court, shall not be suspended by reason of any appeal, which shall be prayed and allowed from such sentence, provided that the party or parties appellate shall give sufficient security, to be approved of by the Court, to render and deliver the ship, vessel, boat, goods, or effects, concerning which such sentence or decree shall be pronounced, or the full value thereof to be ascertained, either by agreement between the parties, or, in case the said parties cannot agree, then, by appraisement, under the authority of the said Court, to the appellant or appellants, in case the sentence or decree so appealed from shall be reversed, and such ship, vessel, boats, goods, or effects be ultimately condemned.

And be it enacted, That in case any goods, ships, vessels, or boats shall be seized as forfeited, or detained as undervalued, by virtue of any Act, passed or to be passed by the Legislature of Grenada, relating to the Colonial Customs of this Colony, it shall be lawful for the Governor to order the same to be restored, in such manner and on such terms and conditions as he shall think fit to direct; and if the proprietor of the same shall accept the terms and conditions prescribed by the Governor, he shall not have or maintain any action for recompence or damage, on account of such seizure or detention, and such seizure shall not be further prosecuted.

And be it enacted, That if any ship shall have become liable to forfeiture, on account of any goods laden therein or unladen therefrom, or if the master of any ship shall have become liable to any penalties, on account of any goods laden in such ship, or unladen therefrom, and such goods shall be small in quantity, or of trifling value, and it shall be made appear to the satisfaction of the Governor, that such goods had been laden or unladen contrary to the intention of the owners of such ship, or without the privity of the master thereof, as the case may be, it shall be lawful for the Governor to remit such forfeiture, and also to remit or mitigate such penalty, as he shall see reason, to acquit such master of all blame in respect of such offence, or more or less to attribute the commission of such offence to neglect of duty on his part, as master of such ship, and every forfeiture and every penalty or part thereof, so remitted, shall be null and void, and no suit or action shall be brought or maintained on account thereof.

And be it enacted, That the word "Governor," in this Act, shall be construed to mean the Officer for the time being administering the Government of this Colony; and the word "Treasurer," in this Act, shall be construed to mean the Public Treasurer or Acting Public Treasurer, for the time being, of this Colony.

And be it enacted, That this Act shall come into operation at the same time as the said Act for repealing the Duties on Customs imposed by the Act of Parliament, passed in the eighth and ninth years of the reign of Her Majesty, to regulate the trade of the British possessions abroad.

No. CLVI

An Act to afford summary redress in cases of minor trespass.
 [31st July, 1848.]—Left to its operation by Order in Council,
 dated 8th January, 1850.

WHEREAS, an Act was passed by the Legislature of Grenada, in the year Preamble.
 one thousand eight hundred and forty-two, intituled "An Act to prevent No. 105.

frivolous suits in the Supreme Court of Judicature," whereby, it was amongst other things enacted, that if the plaintiff in any action of trespass shall recover by the verdict of a Jury less damages than forty shillings, such plaintiff shall not be entitled to recover from the defendant in respect of such verdict any costs whatever, unless the Judge shall certify as therein mentioned; And whereas, it is expedient to give to Justices of the Peace jurisdiction in cases of minor trespass, where the damages claimed do not exceed forty shillings: Be it therefore enacted, by the Governor, the Council and the Assembly of the Island of Grenada and its dependencies, and it is hereby enacted, by the authority of the same, that in all cases of trespass committed on lands, tenements, and hereditaments, if the party or parties aggrieved shall claim damages, not exceeding forty shillings, and no question of title to land shall arise in the course of the proceedings, it shall and may be lawful for the party or parties aggrieved to prefer his, her, or their complaint, before any Justice of the Peace, in the parish where the complainant or complainants shall reside, and such Justice of the Peace is hereby required and authorised to associate with himself another Justice of the Peace, in the same parish, which Justices shall have full power and authority for hearing and determining such complaint, and to award a sum not exceeding forty shillings, and costs, to be paid by the party committing such trespass or trespasses, to the party or parties aggrieved, or to dismiss such complaint, with costs, not exceeding forty shillings, or without costs; and in the event of non-payment of the sum awarded and costs, or of the costs awarded, either immediately or within such time as the Justices of the Peace hearing and determining such complaint shall appoint, such Justices are hereby authorised and empowered, by warrant, under their hands and seals, to authorize the same to be distrained for, or to commit the party or parties convicted of such trespass or trespasses, or the party or parties omitting or neglecting to pay the costs awarded, to the Common Gaol, there to remain for any space of time, not exceeding ten days, unless the said damages and costs or costs be sooner paid; Provided always, that any party proceeding under this Act shall be barred thereby from proceeding for the same trespass by action at Law, and this Act may be pleaded in bar, and given in evidence, in any such Action.

Clause I.
 In cases of trespass on lands, &c., where parties aggrieved claim damages, not exceeding forty shillings, and no question of title to land arises, to be determined by local Justices of the Peace.

Party proceeding under this Act to be debarred of action at law.

And be it enacted, That this Act shall not interfere with, or be construed to affect the rights of any person or persons to pass or repass orderly and quietly through and along the customary path leading from the public highways to the several habitations to which such path leads; Provided, nevertheless, that nothing in this Act contained shall be deemed to affect the title or freehold of any proprietor or proprietors, in any such path.

Clause II.
 This Act not to affect right of passage of persons through customary path. Nor to affect the title, &c., of any proprietor in such path.

And be it enacted, That this Act shall not interfere with or be construed to affect the provisions of the Act passed in the session of Parliament, holden in the sixth year of the reign of His late Majesty King William the Fourth, intituled "An Act to make provision for the better administration of justice in certain of His Majesty's West India Colonies," or an Act passed by the Legislature of Grenada, in the year one thousand eight hundred and thirty-six, intituled, "An Act to give effect to the provisions

Clause III.
 This Act not to interfere with certain Acts of the Parliament of the United Kingdom, and of the Legislature of Grenada.

No 91.

of an Act of the Parliament of the United Kingdom of Great Britain and Ireland, passed to make provision for the better administration of Justice in certain of His Majesty's West India Colonies."

No. CLVII.

An Act to repeal several Acts, and parts of Acts. [30th September, 1848.]—Left to its operation by Order in Council, dated 31st January, 1849.

WHEREAS, it is expedient to repeal the several Acts, and parts of Acts, mentioned in the Schedule hereunto annexed :

Clause I.

Be it therefore enacted, by the Governor, the Council and Assembly of the Island of Grenada and its Dependencies, and it is hereby enacted by the authority of the same, That all and every the Acts, the titles whereof are mentioned and set forth in the first part of the Schedule hereunto annexed, shall be, and the same are hereby wholly repealed, and so much and such parts of the several Acts, the titles whereof are mentioned and set forth in the second part of the same Schedule, as are in such Schedule particularly mentioned and described, shall be, and the same are hereby repealed.

Clause II.

Provided always, and be it enacted, That the repeal of such Acts, and parts of Acts, respectively, shall not be construed to prejudice or affect any right, title or interest acquired thereunder, or to stay or prevent the further prosecution of any proceedings, civil or criminal, which may be now pending, the institution or commencement of any proceedings, as aforesaid, for or in respect of, or arising out of any cause, matter or thing, heretofore done, committed or omitted, under, or in pursuance of, or against the provisions of such Acts, or parts of Acts, any or either of them, but notwithstanding such repeal, all such proceedings may be prosecuted, and judgment given thereon, and enforced, in like manner as if such Acts had continued in force ; provided such proceedings be commenced and prosecuted within the time limited by such Acts, respectively, when any time is therein specially limited, or in other cases within the time appointed by Law for such purpose.

Clause III.

And be it enacted, That so much and such parts of any Act heretofore passed by the Legislature of Grenada, as mention the word, or relate to, slaves, or designate or describe any free persons whomsoever, by complexion or color, or descriptive words of similar purport or import, as contradistinguished from white persons, shall be, and the same are hereby repealed, and may be omitted in any future transcript, copy, recompilation, or publication of the Laws of this Colony, and that all and every or any such Her Majesty's subjects shall continue to hold and enjoy all the rights, privileges, immunities, and exemptions, and shall, and may perform, and be liable to perform all the same acts and duties, and be subject to the same forfeitures and penalties, as fully and in the same manner as are enjoyed, held, exercised, and performed by any other subjects of Her Majesty in Grenada.

Clause IV.

Provided also, and be it enacted, That no Act, nor part of any Act repealed by any Act, or part of any Act hereby repealed, shall be deemed to be revived, but every such Act and part of any Act heretofore repealed, shall be, and continue repealed, in such and the like manner as if this Act had not been passed.

SCHEDULE OF ACTS WHOLLY REPEALED :

An Act to prevent the frequenting of Taverns, Ale Houses, and other Tippling Houses, by sailors. (November 29, 1766.)

An Act to secure and confirm the estates and titles of persons possessing lands in these Islands of Grenada and the Grenadines, and to quiet them in the peaceable possession and enjoyment thereof. (January 12, 1767.)

An Act to constitute a Court Merchant. (April 30, 1767.)

An Act for granting to His Majesty, his heirs and successors, a certain portion of Negro Labor, for the establishment of a Royal Dock and Dock-yard, in the Harbour of Saint George, in this Island, &c., &c. (August 4, 1778.)

An Act for the quiet and security of defendants and purchasers, against dormant judgments and executions, and for directing the Marshal's proceedings on such executions. (March 9, 1784.)

An Act for removing doubts with respect to the Laws which are to be deemed in force in these Islands, upon their restitution to the Crown of Great Britain. (March 16, 1784.)

An Act for preventing the Statute of Limitations from running in certain cases; for prescribing in what manner the suits, heretofore depending in the English Courts of Justice, in these Islands, and the verdicts or judgments unsatisfied, may be proceeded upon; and for removing doubts with regard to contracts made in the English form and language, during the late French Government. (March 27, 1784.)

An Act for removing doubts and difficulties which may arise from the late changes of Laws and Government in Grenada and the Grenadines, and for prescribing the manner in which the sentences of the late French Courts may be executed with effect. (May 17, 1784.)

An Act for the better security of the interests of mortgagees, for making void voluntary sale or sales by execution of mortgaged slaves separately from the plantations with which they are mortgaged, and for preventing frauds and collusions in protecting unmortgaged slaves from being sold for the benefit of execution creditors. (July 5th, 1784.)

An Act for relieving Estates of mortgagers in certain cases from dormant claims. (October 13, 1784.)

An Act for removing doubts respecting the validity of certain securities in the nature of recognizances, heretofore entered into in the Marshal's Office of this Island. (October 13, 1784.)

An Act for empowering and appointing commissioners to contract and agree with workmen, and other persons for erecting a cage in the Island of Carriacou. (April 7, 1785.)

An Act to amend and explain an Act, intituled, "An Act to ascertain the rate of interest, and for settling the damages on bills of exchange legally protested;" and to regulate and restrain the proceedings at Law, in cases of protest for non-acceptance of Foreign bills of exchange. (May 19, 1785.)

An Act to require all free mestives, mulattoes, cabres, negroes, and other colored free persons residing in, or who may hereafter arrive in, these Islands, to register their names for the purposes therein mentioned. (December 28, 1786.)

An Act for obliging the owners of canoes, boats, and pettyaugers to take out a licence, and give security that the same shall not be the means of enabling slaves to make their escape, or to be carried off, or transported from this Colony; and for authorising and enabling the Commander-in-Chief to hire two small vessels to cruize round the coast, for the purpose of inspecting and seizing all such vessels as appear to be employed in carrying off slaves, or under suspicious circumstances of such intentions. (October 24, 1789.)

An Act for empowering and appointing commissioners to contract and agree with workmen and other persons for erecting a cage in the Town of Saint Patrick, in the Parish of Saint Patrick. (October 24, 1789.)

An Act to amend an Act, intituled, "An Act to prevent the further sudden increase of free negroes and mulattoes," and also to amend an Act, intituled, "An Act for the better government of slaves, and for the more

speedy and effectual suppression of runaway slaves," and to ascertain what shall be evidence of the sealing of certificates respecting enfranchisement, as directed to be made by the guardians of slaves. (April 2, 1792.)

An Act for repealing so much of an Act, entitled, "An Act for procuring an annual state of the population and produce of these Islands, and for the future encouragement of white servants, labourers, and artificers," as relates to the obliging every proprietor or renter of slaves exceeding twenty, and under fifty in number, to keep a white servant, and for remitting the fines and forfeitures already incurred by them for deficiency of such white servants; and also to repeal an Act passed on the seventh day of February, one thousand seven hundred and ninety. (November 6, 1809.)

An Act to repeal an Act, entitled, "An Act for appointing an agent to negotiate the affairs of these Islands, in Great Britain, fixing an annual salary as a recompence for his trouble, and settling methods for the better management of that trust." (August 17, 1812.)

An Act for relieving the free colored and free black persons in these Islands from certain penalties to which they are liable, by certain Acts of the Legislature, to enable the Provost Marshal to prove the services of summonses and subpoenas by any free colored or free black persons, to authorize such free colored and free black persons to give evidence, in all cases whatsoever, and for extending the Elective Franchise to them in certain cases, and for other purposes. (December 19, 1823.)

An Act to consolidate all the Laws now in force relating to the slave population, for making more effectual provision for their maintenance and protection, and for the admissibility of their testimony in certain cases. (April 26, 1825.)

An Act for establishing a Common Gaol and Treadmill in the Island of Carriacou. (November 6, 1834.)

SCHEDULE OF ACTS PARTIALLY REPEALED.

The second, fourth, fifth, sixth, and eighth clauses of the Act, intituled, "An Act for preventing and punishing those who shall wilfully fire, burn, or destroy any canes, dwelling-houses, or any other edifices. (April 3, 1770.)

No. 16.

The twenty-fourth and twenty-fifth clauses of the Act, intituled, "An Act for re-establishing a Court of King's Bench and Grand Sessions of the Peace," prescribing the times of its sitting, and regulating the proceedings therein, and in Courts to be held by virtue of Commissions of Oyer and Terminer, and Gaol Delivery, and for taking away the benefit of clergy from persons convicted of certain crimes therein specified.

No. 26.

So much as relates to itinerant Preachers in the Act, intituled, An Act for punishing vagabonds and idle and disorderly persons, and for declaring who shall be deemed such, and also for repealing an Act of the Legislature of these Islands, made and passed the twentieth day of February, one thousand seven hundred and seventy, intituled, "An Act for punishing rogues, vagabonds, and other idle and disorderly persons," and declaring who shall be deemed rogues, vagabonds, idle and disorderly persons, and another Act of the said Legislature, made and passed the sixth day of February, one thousand seven hundred and ninety, intituled, "An Act for amending an Act," intituled, "An Act for punishing rogues, vagabonds, and other idle and disorderly persons, and declaring who shall be deemed rogues, vagabonds, idle and disorderly persons," and another Act of the said Legislature, made and passed the seventeenth day of April, one thousand seven hundred and ninety-three, intituled, "An Act to amend an Act," intituled, "An Act for punishing rogues, vagabonds, and other idle and disorderly persons, and declaring who shall be deemed rogues, vagabonds, idle and disorderly persons, and also for preventing, during the continuance of the present war, the importation into these Islands of slaves from any of the Colonies which, after the first day of January, one thousand seven hundred

and ninety-four, did belong, or are now belonging or annexed to France, or under the Government of the persons exercising the powers of Government in France. (June 3, 1794.)

And the third clause of the Act, intituled, "An Act to establish a more efficient Police in the several Towns within this Government. (August 25, 1832.)

No. CLVIII.

An Act to authorise the appropriation of part of the monies applicable to immigration purposes for the general use of the Colony. [30th *September*, 1848.]—Left to its operation by order in Council, dated 31st January 1849.

No. CLIX.

An Act to continue in force until the thirty-first day of December, one thousand eight hundred and forty-nine, an Act, intituled "An Act for granting an aid to Her Majesty, to be applied for the purposes of immigration." [30th *September*, 1848.]—Left to its operation by Order in Council, dated 31st January, 1849. Vide Act, No. 132.

WHEREAS, an Act was passed by the Legislature of this Colony, intituled, "An Act for granting an aid to Her Majesty to be applied for the purposes of immigration," and bearing date the twelfth day of December, one thousand eight hundred and forty-five, which was limited to continue in force until the thirty-first day of December, one thousand eight hundred and forty-six, and from thence until the end of the then next Session of the Legislature; And whereas, the said recited Act has been since continued in force until the thirty-first day of December, one thousand eight hundred and forty-eight; And whereas, it is expedient to continue the said recited Act for a further limited period of time. Preamble.

Be it, and it is hereby enacted, by the Governor, the Council and the Assembly of the Island of Grenada and its Dependencies, That the said recited Act shall continue in force, until the thirty-first day of December, one thousand eight hundred and forty-nine. Clause 1.

No. CLX.

An Act for removing doubts respecting the liability of certain Goods to import duty. [3rd *January*, 1849.]—Left to its operation by Order in Council, dated 21st May, 1849.

WHEREAS, an Act was passed by the Legislature of Grenada, in the month of June, one thousand eight hundred and forty-eight, intituled, "An Act to impose duties upon certain Goods, and to exempt from duty certain other Goods upon the importation thereof into Grenada and its Dependencies; to authorize exporters of certain specific Goods imported to have drawback or return of duty on the exportation thereof within a certain time; and to allow certain Goods imported for transshipment to be landed, duty free, on bond;" whereby certain duties were directed to be raised, levied, collected and paid unto Her Majesty, her heirs and successors, upon goods, wares, and merchandize imported or brought into this Colony; And whereas, doubts may be entertained respecting the construction of such Preamble.
No. 153.

Act, in reference to goods, wares, and merchandize in bond, at the time of the said Act coming into operation.

Clause I. Be it, therefore, enacted, by the Governor, the Council and Assembly of the Island of Grenada and its Dependencies, and it is hereby enacted by the authority of the same, That there shall be raised, levied, and collected, and paid unto Her Majesty, her heirs, and successors, for the use and benefit of this Government, the several duties, as the same are respectively set forth in figures, in the table of duties, in the said Act contained, marked A, upon goods, wares, and merchandize which may be in bond at the time of the said Act coming into operation, on the delivery thereof out of bond for consumption within this Colony, and that such delivery from bond shall be deemed an importation of such goods, wares, and merchandize, within the meaning of the said Act.

Clause II. And be it enacted, That this Act shall be construed as one Act with the said recited Act, and shall come into operation therewith, and not before the same.

No. CLXI.

An Act for appointing Thomson Hankey, the younger, of the City of London, Esquire, Agent of this Colony, and for the due management of his trust. [3rd January, 1848.]—Left to its operation by Order in Council, dated 1st May, 1849.

Preamble. WHEREAS, it is expedient that the person appointed to negotiate the affairs of this Colony, in the United Kingdom, should possess a considerable stake and interest in the Colony : Be it, therefore, enacted, by the Governor, the Council and Assembly of the Island of Grenada and its Dependencies, and it is hereby enacted by the authority of the same, that Thomson Hankey, the younger, of the City of London, Esquire, be, and he is hereby appointed Agent of this Colony, for the purpose aforesaid.

Clause II. And be it enacted, That the said Agent shall pay no regard to, nor observe any orders or directions relative to the affairs of this Colony, but such as he shall receive from the Council and Assembly of these Islands, through a Committee of Correspondence, or otherwise.

Clause III. And be it further enacted, That as the said Agent may be under the necessity of occasionally disbursing money for payment of different expenses incurred in conducting the official business of the said Colony, upon accounts of such expense being transmitted, and the same being approved, in like manner as other accounts against the public are directed to be finally approved by a certain Act of the Legislature of these Islands, intituled, "An Act to regulate, restrict and direct the conduct of the Public Treasurers of these Islands, and to fix their Salaries;" the Public Treasurer shall, and he is hereby authorized, on the warrant of the Governor, to remit the sum ascertained to be due to such Agent, out of any unappropriated money in the hands of such Treasurer.

Act, No. 11. Clause IV. And be it further enacted, That the said Committee of Correspondence shall consist of two members of the Council and three members of the Assembly, to be nominated by the said Houses, respectively, of whom three shall be a quorum, one being of the Council and two of the Assembly, and the respective members of such Committee, or some of them, shall, on the first day of each and every meeting of the Legislature, lay before the House, of which he or they is or are respectively members, copies of all such letters as may have been written or received by the Committee, during the previous recess of the Legislature.

No. CLXII.

An Act for the recovery of damages done by reason of trespasses by horses, mules, asses, cattle, sheep, goats, and pigs upon lands. [20th February, 1849.]—Left to its operation by Order in Council, dated 21st May, 1849.

WHEREAS, it is expedient to make more effectual provision than is at present in force, for the recovery of damages done or occasioned by reason of trespasses by horses, mules, asses, cattle, sheep, goats and pigs, upon lands within this Colony ;

Be it, therefore, enacted, by the Governor, the Council and the Assembly of the Island of Grenada and its Dependencies, and it is hereby enacted by the authority of the same, That it shall be lawful for any owner, renter or occupier of any land within this Colony, his servants, assistants and agents, to seize and take, or cause or procure to be seized and taken, any stray horse, mule, ass, cattle, sheep, goat or pig trespassing upon such land of such owner, renter or occupier, and to impound the said animal, so trespassing, as a distress for the damage done to such land, and to keep and detain the same, so impounded, until either the owner of such animal, so trespassing and impounded, as aforesaid, shall pay for the damage done at the rate or in the manner hereinafter mentioned, or the said animal so trespassing and impounded, as aforesaid, shall be sold or disposed of, in the manner in that behalf hereinafter mentioned.

Clause I.
Cattle trespassing
may be impounded

And be it further enacted, That it shall be lawful for the owner, renter or occupier of any land within this Colony, by himself, or by his servants, assistants or agents, to ask, demand and receive from the owner or claimant of any such animal, as aforesaid, so trespassing upon such land of such owner, renter or occupier, and the owner or claimant of the same animal shall, and he is hereby required to pay to such owner, renter or occupier of the land the following rate, for the damage done, (subject, however, to the proviso hereinafter next mentioned) for each horse, mule, ass or cattle, the sum of two shillings, and the further sum of one shilling for each day after the first day such animal shall be kept and detained impounded ; for each sheep, goat and pig the sum of one shilling, and the further sum of six-pence, for each day after the first day any of such last mentioned animal shall be kept and detained impounded ; Provided, however, and be it further enacted, That if the owner, renter or occupier of any land within this Colony, upon which any such trespass, as aforesaid, shall be committed, shall deem the rate hereinbefore mentioned in that behalf insufficient to satisfy the actual damage done to the land, or to anything planted or growing thereon, or in case any such animal, as aforesaid, so trespassing, shall not be taken and impounded, and the owner, renter or occupier of the land, and the owner or claimant of the animal, so trespassing and impounded, cannot in either case agree as to the amount to be paid for the actual damage done by the trespass, it shall be lawful for any Justice of the Peace, and he, the Justice, is hereby required, upon the application of the distrainer, or the owner, renter or occupier of the land trespassed upon, to summon the party complained of before him, such Justice, and on hearing such parties, or in default of attendance of the party complained of, and due proof of the service of such summons on him, it shall be lawful for such Justice to issue his warrant, under his hand and seal, directed to, and requiring any two competent persons within the town or parish where the land so trespassed upon, as aforesaid, lies, to go to, and to view and ascertain the damage done by such trespass, and to assess the value thereof, at any sum not exceeding five pounds, and to make to such Justice within seven days after issuing such warrant, a return of such valuation, on oath, which oath, such Justice

Clause II.
Compensation for
trespass.

Act, in reference to goods, wares, and merchandize in bond, at the time of the said Act coming into operation.

Clause I. Be it, therefore, enacted, by the Governor, the Council and Assembly of the Island of Grenada and its Dependencies, and it is hereby enacted by the authority of the same, That there shall be raised, levied, and collected, and paid unto Her Majesty, her heirs, and successors, for the use and benefit of this Government, the several duties, as the same are respectively set forth in figures, in the table of duties, in the said Act contained, marked A, upon goods, wares, and merchandize which may be in bond at the time of the said Act coming into operation, on the delivery thereof out of bond for consumption within this Colony, and that such delivery from bond shall be deemed an importation of such goods, wares, and merchandize, within the meaning of the said Act.

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Clause II. And be it enacted, That the said Agent shall pay no regard to, nor observe any orders or directions relative to the affairs of this Colony, but such as he shall receive from the Council and Assembly of these Islands, through a Committee of Correspondence, or otherwise.

Clause III. And be it further enacted, That as the said Agent may be under the necessity of occasionally disbursing money for payment of different expenses incurred in conducting the official business of the said Colony, upon accounts of such expense being transmitted, and the same being approved, in like manner as other accounts against the public are directed to be finally approved by a certain Act of the Legislature of these Islands, intituled, "An Act to regulate, restrict and direct the conduct of the Public Treasurers of these Islands, and to fix their Salaries;" the Public Treasurer shall, and he is hereby authorized, on the warrant of the Governor, to remit the sum ascertained to be due to such Agent, out of any unappropriated money in the hands of such Treasurer.

Act, No. 11. Clause IV. And be it further enacted, That the said Committee of Correspondence shall consist of two members of the Council and three members of the Assembly, to be nominated by the said Houses, respectively, of whom three shall be a quorum, one being of the Council and two of the Assembly, and the respective members of such Committee, or some of them, shall, on the first day of each and every meeting of the Legislature, lay before the House, of which he or they is or are respectively members, copies of all such letters as may have been written or received by the Committee, during the previous recess of the Legislature.

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WHEREAS, it is expedient to make more effectual provision than is at present in force, for the recovery of damages done or occasioned by reason of trespasses by horses, mules, asses, cattle, sheep, goats and pigs, upon lands within this Colony ;

Be it, therefore, enacted, by the Governor, the Council and the Assembly of the Island of Grenada and its Dependencies, and it is hereby enacted by the authority of the same, That it shall be lawful for any owner, renter or occupier of any land within this Colony, his servants, assistants and agents, to seize and take, or cause or procure to be seized and taken, any stray horse, mule, ass, cattle, sheep, goat or pig trespassing upon such land of such owner, renter or occupier, and to impound the said animal, so trespassing, as a distress for the damage done to such land, and to keep and detain the same, so impounded, until either the owner of such animal, so trespassing and impounded, as aforesaid, shall pay for the damage done at the rate or in the manner hereinafter mentioned, or the said animal so trespassing and impounded, as aforesaid, shall be sold or disposed of, in the manner in that behalf hereinafter mentioned.

And be it further enacted, That it shall be lawful for the owner, renter or occupier of any land within this Colony, by himself, or by his servants, assistants or agents, to ask, demand and receive from the owner or claimant of any such animal, as aforesaid, so trespassing upon such land of such owner, renter or occupier, and the owner or claimant of the same animal shall, and he is hereby required to pay to such owner, renter or occupier of the land the following rate, for the damage done, (subject, however, to the proviso hereinafter next mentioned) for each horse, mule, ass or cattle, the sum of two shillings, and the further sum of one shilling for each day after the first day such animal shall be kept and detained impounded ; for each sheep, goat and pig the sum of one shilling, and the further sum of six-pence, for each day after the first day any of such last mentioned animal shall be kept and detained impounded ; Provided, however, and be it further enacted, That if the owner, renter or occupier of any land within this Colony, upon which any such trespass, as aforesaid, shall be committed, shall deem the rate hereinbefore mentioned in that behalf insufficient to satisfy the actual damage done to the land, or to anything planted or growing thereon, or in case any such animal, as aforesaid, so trespassing, shall not be taken and impounded, and the owner, renter or occupier of the land, and the owner or claimant of the animal, so trespassing and impounded, cannot in either case agree as to the amount to be paid for the actual damage done by the trespass, it shall be lawful for any Justice of the Peace, and he, the Justice, is hereby required, upon the application of the distrainer, or the owner, renter or occupier of the land trespassed upon, to summon the party complained of before him, such Justice, and on hearing such parties, or in default of attendance of the party complained of, and due proof of the service of such summons on him, it shall be lawful for such Justice to issue his warrant, under his hand and seal, directed to, and requiring any two competent persons within the town or parish where the land so trespassed upon, as aforesaid, lies, to go to, and to view and ascertain the damage done by such trespass, and to assess the value thereof, at any sum not exceeding five pounds, and to make to such Justice within seven days after issuing such warrant, a return of such valuation, on oath, which oath, such Justice

Clause I.
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Clause II.
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trespass.

is hereby authorized and required to administer ; Provided, that if such owner, renter or occupier, shall claim larger damages than five pounds, he may sue for the same, and no such valuation shall be made without twelve hours previous notice to the owner or claimant of the animal so trespassing.

Clause III.

Persons impounding, to give notice to owners, if known.

And be it enacted, That if the owner of any such animal, as aforesaid, so trespassing and impounded, shall be known to the distrainer, he, the distrainer, shall, as soon as possible after making the distress, give, or cause notice to be given, to the owner of such animal, otherwise the distrainer shall not be entitled to ask, demand, and receive from the owner of the animal the additional or further sum of money hereinbefore provided and allowed for each day after the first day any such animal, as aforesaid, shall be kept and detained impounded.

Clause IV.

If owner unknown, distress to be advertised.

If distress not claimed, or if animal not taken, and damage not compensated for, Justice to issue his warrant to levy damage.

And be it further enacted, That if the owner of such animal, as aforesaid, so trespassing, taken and impounded, be unknown to the distrainer, he, the distrainer shall, as soon as possible after the distress made, advertise, or cause the distress to be advertised, in one of the public newspapers of this Colony, which is hereby declared shall be sufficient legal notice to the owner or claimant of such animal, and in case no claim to such animal shall be put in, or made, within seven days from the time of such advertisement being made public, or whether or not the owner of such animal be known if a claim be made to any such animal so trespassing, taken and impounded, or if the animal so trespassing shall not be taken and impounded, as hereinbefore respectively mentioned, and such owner or claimant of the same animal shall refuse, or neglect on demand to make satisfaction to the owner, renter or occupier of the land so trespassed upon, according to the rate, or according to any such valuation as hereinbefore in that behalf mentioned, as the case may be, it shall be lawful for any Justice of the Peace, on application made to him, and proof upon oath before him of the fact of the trespass (the party complained of having been first summoned before such Justice, as hereinbefore required), to issue his warrant, under his hand and seal, directed to any constable, requiring and commanding him to levy upon and to sell such animal, or other the goods and chattels of the owner or claimant of such animal, at public auction, at such time and place as shall be specified in the said warrant, and out of the proceeds of the sale to pay and satisfy to the owner, renter or occupier of the land so trespassed upon, the amount to be specified in the said warrant, of the damages, costs and charges of such trespass, notice or advertisement, and other incidental expenses, together with the sum of four shillings to the use and benefit of the constable, to whom the said warrant shall be directed, rendering the overplus, if any, to the owner or claimant of the animal, if known, and if unknown, then to the Public Treasurer, for the general uses of the Colony.

Clause V.

Penalty on parties neglecting to feed impounded animal.

And be it enacted, That the distrainer and impounder of any such animal shall, and he is hereby required to furnish sufficient and suitable food and water for every animal by him impounded, and in default thereof, be liable to forfeit and pay a sum not exceeding five pounds, for each animal so impounded, being neglected to be furnished with sufficient and suitable food and water, or to an action for damages, at the suit of the owner of such animal.

Clause VI.

If animal die for want or from neglect, distrainer to forfeit double value.

And be it further enacted, That if any animal so distrained and impounded, as aforesaid, shall die for want of sufficient and suitable food and water, or from any other cause of neglect, or want of care and good treatment by or on the part of the distrainer, he shall forfeit and pay to the owner or claimant of the animal double the value of such animal.

Clause VII.

Persons rescuing, or attempting to rescue animals impounded, on conviction before two Justices, to forfeit treble value of damage.

And be it enacted, That if any horse, mule, ass, cattle, sheep, goat or pig shall be rescued, or attempted to be rescued, from being impounded, or from going or being driven to be impounded, for damage done by trespassing, as aforesaid, the person so rescuing, or attempting to rescue, the animal shall, on summary conviction thereof before any two Justices of the Peace of the town or parish where the offence shall be committed, forfeit

and pay to the person on whose land the trespass shall have been done by such animal, treble the value of the damage done by the trespass, to be recovered by warrant under the hands and seals of the said two Justices, directed to any constable, requiring and commanding him to levy the amount, with costs, charges and expenses, in the same manner as is hereinbefore mentioned in regard to the levying of the amount of damages done, with costs, charges and expenses; and in case there shall not be sufficient goods whereon to levy such treble value of the damage done, then to take the body of the offender, and to imprison him in the common gaol of this Island, for the period of not more than thirty, nor less than five days, unless, in the meantime, the said treble value of damage done, and all costs, charges and expenses be paid, in which case the imprisonment shall cease.

And be it further enacted, That if the distrainer of any such animal, as aforesaid, so trespassing upon his land, his servant, assistant or agent shall have reason to believe or to suspect that such animal has the glanders, or any other contagious disease, it shall be lawful for him to apply to any Justice of the Peace, who, on such application, is hereby required as soon as possible to call upon any three disinterested persons, competent to form a just opinion in the premises, and if they, or a majority of them, shall be of opinion that the animal has the glanders, or any other contagious disease, and shall make oath thereof before any such Justice, then it shall be lawful for any such Justice by warrant under his hand and seal, to authorise the distrainer of the animal, his servant, assistant or agent, and he is hereby authorised and required to kill, or cause or procure such animal to be killed, and the body of such animal to be buried, or towed out to sea, and for his so doing, this Act, and the said Warrant, shall be a sufficient warrant and indemnity against all persons, actions, suits and claims in the premises.

Clause VIII.
Impounded cattle suspected of glanders, &c., on proof thereof, to be killed.

And be it enacted, That it shall be lawful for the owner, renter or occupier of any land within this Colony, his servant, assistant or agent to kill any pig or goat trespassing on his land, and if any pig or goat, so trespassing, shall be killed or disabled while trespassing, the owner thereof may have and take the same, if removed within four hours after being so killed or disabled, otherwise it shall be lawful for the owner, renter or occupier of the land on which such pig or goat shall have so trespassed, to have and take or to dispose thereof, as he may think fit.

Clause IX.
Pigs or goats trespassing may be killed.

And be it enacted, That any pig found at large in any public street, lane, square, or place within any of the Towns of this Colony, may be taken up and impounded by any person whomsoever, and on the owner thereof claiming the same, he shall be made to forfeit and pay a sum of ten shillings, for each pig so found at large, one half of such forfeiture to be to Her Majesty to be paid into the Public Treasury, for the general uses of the Colony, and the other half to the person taking up and impounding such pig, to be recovered, if not otherwise paid, by summary conviction before any two Justices of the Peace, and if no claim be made for such pig, so at large, as herein aforesaid, within three days after the same shall have been taken up and impounded, it shall and may be sold and disposed of by the person taking up and impounding it, and the proceeds be applied to his own use.

Clause X.
Pigs at large in Town to be impounded, and owner liable to penalty.

And be it further enacted, That the word horse, in this Act mentioned, shall extend to any mare or gelding, as well as to any horse; the word pig, shall include any of the swine kind; the word cattle, shall apply to any bull, cow, ox, heifer, or calf; and the word animal, to any horse, mare, gelding, bull, cow, ox, heifer, calf, and to any of the swine kind, as the case may require; that words importing the singular number or the masculine gender only, shall be understood to include several matters and things, as well as one matter or thing, and several persons and animals as well as one person and animal, and females as well as males, unless it be otherwise spe-

Clause XI.
Interpretation Clause.

cially provided, or there be something in the subject or context repugnant to such construction.

Clause XII.
Act repealed.

And be it enacted, That the Act passed by the Legislature of this Colony, in the year one thousand seven hundred and sixty-seven, intituled, "An Act for regulating trespasses," shall be, and the same is hereby repealed.

No. CLXIII.

No. 151. An Act to repeal the third Clause of an Act, intituled, "An Act for repealing certain duties of Customs." [16th March, 1849.]

Preamble. WHEREAS, by an Act of the Legislature of this Colony of Grenada, passed on the first day of June, in the year of our Lord one thousand eight hundred and forty-eight, intituled, "An Act for repealing certain duties of Customs," it is enacted in the third Clause of the said Act, That from and after the proclamation, in this Colony, of Her Majesty's assent, in Council, to the now recited Act, so much of the sixty-third section of the therein recited Act of the Parliament of the United Kingdom, holden in the eighth and ninth years of the reign of Her said present Majesty, as relates to, or in any manner affects, the now recited Act, and any matter or thing in the said Act of Parliament, or any part thereof, repugnant to, or inconsistent with, the provisions of the now recited Act, should be, and the same were thereby declared to be repealed in this Colony; And whereas, it is expedient that such third Clause be repealed;

Clause I. Be it, therefore, enacted by the Governor, the Council and the Assembly of the Island of Grenada and its Dependencies, and it is hereby enacted by the authority of the same, That the said third Clause of the said in part recited Act shall be, and the same is hereby repealed.

No. CLXIV.

An Act for facilitating the apprehension of certain offenders escaping to this Colony, from any place within the territory or dominions of the Republic of Venezuela, in order that such offenders may be delivered up to justice. [5th April, 1849.]

Preamble. WHEREAS, persons who have committed crimes within the Territories or Dominions of the Republic of Venezuela, sometimes escape to this Colony, and it is expedient to provide for the apprehension of certain of such offenders in this Colony, in order that they may be sent back to the territory or place where such crimes may have been committed, there to be dealt with according to Law.

Clause I. Persons guilty of certain offences committed in the territories of Venezuela, and escaping to this Colony, may be apprehended on requisition of the Venezuelan Government. Be it, therefore, enacted, by the Governor, the Council and Assembly of the Island of Grenada and its Dependencies, and it is hereby enacted by the authority of the same, That in case requisition shall at any time be made, by the Government of the said Republic of Venezuela, to deliver up to justice any person, who, being charged with the crime of murder, or of an attempt to commit murder, or of arson, or of rape, or of robbery, or of forgery, or of the utterance of any forged security for money, committed within the jurisdiction of the said Republic of Venezuela, shall be found within the Colony of Grenada, or any of its Dependencies, it shall be lawful for the Governor or other Officer administering the Government of this Colony, if he shall think fit, but not otherwise, by warrant under his hand and seal, to signify that such requisition has been so made, and to require

all Justices of the Peace and other Magistrates and Officers of Justice, within their several and respective jurisdictions, to govern themselves accordingly, and to aid in apprehending the person so accused, and committing such person to Gaol, for the purpose of being delivered up to justice, and thereupon it shall be lawful for any Justice of the Peace, or Magistrate in this Colony, to examine, upon oath, any person or persons, touching the truth of such charge, and upon such evidence as according to the Law of this Colony would justify the apprehension and committal for trial of the person so charged, if the crime or offence with which he or she shall be so charged had been committed within this Colony, to issue his warrant for the apprehension of such person, and also to commit such person to Gaol, there to remain until delivered, pursuant to such requisition, as aforesaid.

Provided always, and be it enacted, That in every such case, copies of the deposition or depositions upon which the original warrant for the apprehension of the offender, issued by the Magistrate or other authority in Venezuela was granted, certified under the hand and seal of the Office of the Officer of the said Republic making such requisition, may be received in evidence of the criminality of the person so apprehended.

Clause II.
Copies of depositions to be received as evidence.

And be it enacted, That upon the certificate of such Justice of the Peace, or Magistrate, that such supposed offender has been so committed to Gaol, it shall be lawful for the Governor, or Officer administering the Government of this Colony, by warrant under his hand and seal, to order the person so committed to be delivered to such person or persons as shall be authorized by any warrant under the hand of the Officer of the said Republic making such requisition, as aforesaid, to receive the person so committed, and to convey such person to the place where the crime or offence with which such person is charged was committed, there to be tried for such crime or offence, and such person shall be delivered up accordingly; and it shall be lawful for the person or persons authorized as aforesaid to hold such person in custody, and take him or her to the place where such crime or offence was committed; and if the person so accused shall escape out of any custody to which he or she shall be committed, or to which he or she shall be delivered as aforesaid, it shall be lawful to retake such person in the same manner as any person accused of any felony committed within this Colony may be retaken upon an escape.

Clause III.
Such offenders, when apprehended, may be delivered up to officers appointed by the Government of Venezuela, and escaping, may be retaken.

And be it enacted, That where any person who shall have been committed under this Act to remain until delivered up pursuant to requisition, as aforesaid, shall not be delivered up pursuant thereto, and conveyed out of this Colony within three calendar months after such committal, it shall in every such case be lawful for the Supreme Court of Judicature of this Colony, or any Judge thereof, upon application made to them or him, by or on behalf of the person so committed, and upon proof made to them or him that reasonable notice of the intention to make such application has been given to the Attorney-General, to order the person so committed to be discharged out of custody, unless sufficient cause shall be shown to such Court or Judge why such discharge ought [not] to be ordered.

Clause IV.
Offenders not delivered up within three months after apprehension, may be discharged.

And be it enacted, That this Act shall commence and take effect when and so soon as the Governor or other Officer administering the government of this Colony shall, by Proclamation, under his hand and the public seal of this Colony, declare and proclaim that the Legislature of the said Republic of Venezuela hath made sufficient provision, by Law, for the apprehension of offenders escaping to any place within the territories or dominions of the said Republic, who may be charged with having committed within this Colony, any of the crimes or offences hereinbefore mentioned.

Clause V.
Act to take effect when similar concessions shall have been made by a law of Venezuela to the satisfaction of the Governor.

GRENADA :

L. M. S. *VICTORIA, by the Grace of God, of the United Kingdom
of Great Britain and Ireland, Queen, Defender of the
Faith. &c.*

KER B. HAMILTON, Lieutenant-Governor.

A PROCLAMATION.

WHEREAS, An Act was passed by the Legislature of this Colony, in the month of April, one thousand eight hundred and forty-nine, intituled, "An Act for facilitating the apprehension of certain offenders escaping to this Colony from any Island within the territory or dominions of the Republic of Venezuela, in order that such offenders may be delivered up to Justice;" which Act, it was thereby enacted, should commence and take effect when and so soon as the Governor, or other officer administering the Government of this Colony should, by proclamation, under his hand and the public seal of this Colony, declare and proclaim that the Legislature of the said Republic of Venezuela shall have made sufficient provision by law for the apprehension of offenders escaping to any place within the territories or dominions of the said Republic, who may be charged with having committed within this Colony any of the crimes or offences in the said Act mentioned: These are therefore, to proclaim and declare that the Legislature of the said Republic of Venezuela hath made sufficient provision by Law for the apprehension of offenders escaping to any place within the territories or dominions of the said Republic, who may be charged with having committed within this Colony certain of the crimes or offences in the said Act mentioned: Whereof all Judges, Magistrates, and others whom it may concern, are to take notice and govern themselves accordingly.

Witness, His Excellency KER BAILLIE HAMILTON, Lieutenant-Governor and Commander-in-Chief in and over the Island of Grenada and its Dependencies, Chancellor and Ordinary of the same, &c., &c., &c.

At Grenada, this fifteenth day of February, in the year of our Lord one thousand eight hundred and fifty, and in the thirteenth year of Her Majesty's Reign.

GOD SAVE THE QUEEN!

By His Excellency's Command,
(Signed) OWSLEY ROWLEY, Secretary.

Duly proclaimed in the Town of Saint George, in the Island of Grenada, this fifteenth day of February, one thousand eight hundred and fifty, and in the thirteenth year of Her Majesty's Reign.

(Signed) FRANCIS JACKSON, Provost-Marshal.

A true Copy,
OWSLEY ROWLEY, Secretary.

No. CLXV.

An Act for continuing the appointment of a Police Magistrate, and to amend the Act authorising such appointment. [11th August, 1849.]—Left to its operation by Order in Council, dated 8th January, 1850.

Preamble.

Recites Act of 22nd
September, 1846,
No. 140.

WHEREAS, An Act was passed by the Legislature of Grenada, on the twenty-second day of September, in the year one thousand eight hundred

and forty-six, intituled, "An Act for the appointment of a Police Magistrate for the Town and Parish of Saint George, and for further improving the Police," which, so far as relates to the appointment and continuance in office of any Magistrate thereby authorised to be appointed, was limited to continue in force for three years, and no longer: And whereas, it is expedient to continue the appointment of such Magistrate; Be it therefore enacted, by the Governor, the Council and Assembly of the Island of Grenada and its dependencies, and it is hereby enacted, by the authority of the same, that the said recited Act, so far as relates to the appointment and continuance in office of a Police Magistrate, shall continue in force until the twenty-second day of September, in the present year, and thence for three years, and no longer.

Clause I.
Office of Police Magistrate continued to 22nd September next, and thence for three years.

And be it enacted, That the said Police Magistrate shall, from and after the said twenty-second day of September next, receive a salary at and after the rate of three hundred pounds, per annum, payable quarterly, by the Public Treasurer, on the warrant of the Governor, who shall have power, from time to time, to remove any such Justice or Police Magistrate.

Clause II.
Salary £300.

No. CLXVI.

An Act to alter and amend and to continue in force, until the thirty-first day of December, one thousand eight hundred and fifty, an Act, intituled, An Act for granting an aid to Her Majesty, to be applied for the purposes of Immigration. [30th November, 1849.]—Left to its operation by Order in Council, dated 19th June, 1850.

Vide Acts, Nos. 178, and 184.

WHEREAS, An Act was passed by the Legislature of Grenada, intituled, "An Act for granting an aid to Her Majesty to be applied for the purposes of immigration," and bearing date the twelfth day of December, one thousand eight hundred and forty-five, by the first Clause of which said Act, it was enacted, That there should be paid unto her Majesty, her heirs, and successors, the sum, tax, or duty of sixpence, per gallon, upon and for every gallon of rum, the produce of this Colony, which should be consumed or sold for consumption therein, on or after the first day of January, one thousand eight hundred and forty-six, and which said Act was limited to continue in force until the thirty-first day of December, one thousand eight hundred and forty-six, and from thence until the end of the then next session of the Legislature; And whereas, the said Act has been from time to time continued, and now stands limited in force and operation until the thirty-first day of December one thousand eight hundred and forty-nine; And whereas, it is expedient to alter and amend the said Act, and to continue the same so altered and amended as hereinafter mentioned, for a further limited period of time.

Preamble.
"Act for granting an aid to Her Majesty, to be applied for the purposes of immigration." (12th December, 1845, No. 132.)

Be it therefore enacted, by the Governor, the Council, and the Assembly of the Island of Grenada and its dependencies, and it is hereby enacted by the authority of the same, That the said Act, except as to the tax or duty imposed by the said first clause thereof, shall continue in force until the thirty-first day of December, one thousand eight hundred and fifty, and that the said tax or duty imposed by the said first clause, shall expire after the thirty-first day of December now next ensuing.

Clause I.
The former Act, except as to the tax imposed by the first clause thereof, to be in force till 31st December, 1850.

And be it enacted, That there shall be paid unto Her Majesty, her heirs and successors, the several sums, taxes, or duties upon, or in respect of rum, the produce of this Colony, which shall be consumed or sold for con-

Clause II.
Specification of taxes to be paid on rum, the produce

462 [No. CLXVI.—VIII.] THE LAWS OF GRENADA,

of this Colony, which shall be consumed or sold for consumption therein, sumption therein, on or after the first day of January, one thousand eight hundred and fifty, as follows, that is to say—

Four pence per gallon on rum proof 25, or weaker ;
Four pence half-penny per gallon on rum proof 24 ;
Five pence per gallon on rum proof 23 ;

and so in like manner and proportion, an additional half-penny per gallon on rum of each successive stronger proof.

Clause III.
Upon and after the 1st January, 1850, in addition to the requisites of the schedules in former Act, persons giving in returns of rum shall insert strength of proof of rum.

And be it enacted, That upon, from, and after the first day of January, one thousand eight hundred and fifty, in addition to the several matters and things required in and by the said Act to be given in and specified in the several schedules therein, respectively marked C. D. and E., and sworn to, the person or persons giving in the same and swearing thereto respectively, shall insert therein and swear thereto respectively, in every material case, the strength of proof of the rum in respect of which such schedules respectively shall be so as aforesaid given in and sworn to.

Clause IV.
Former Act, as hereby altered, and this Act, to be construed as one Act.

And be it enacted, That the said Act of the twelfth day of December, one thousand eight hundred and forty-five, as the same is hereby altered and amended, and this Act, shall be read, taken and construed as one Act, and that all and singular the provisions, requisitions, penalties, forfeitures, schedules, oaths, provisoes, proceedings, remedies, matters and things in the said Act contained, except so far as is or are herein otherwise provided, altered, or amended, shall extend to this Act and to all things to be done in the execution of this Act.

No. CLXVII.

Expired.
Vide Act, No. 176.

An Act to increase the number of Colonial Revenue Officers [30th November, 1849.]—Left to its operation by Order in Council, dated 19th June, 1850.

No. CLXVIII.

An Act for taking away the punishment of death in certain cases, and substituting other punishments in lieu thereof. 19th March, 1850.]—Left to its operation by Order in Council, dated 13th July, 1850.

Preamble.
Act (No. 79) of 2nd August, 1834.

WHEREAS, by an Act passed by the Legislature of Grenada, in the year one thousand eight hundred and thirty-four, intituled " An Act for the better administration of criminal justice," it is, amongst other things enacted, that if any person shall break and enter any church or chapel, and steal therein any chattel belonging to the said church or chapel, or having stolen any such chattel in any church or chapel, shall break out of the same, every such offender, being convicted thereof, shall suffer death as a felon : And whereas, it is expedient to repeal the said provision in the said recited Act, and to substitute the following in lieu thereof,

Clause I.
So much of the said

Be it, therefore, enacted, by the Governor, the Council and Assembly of the Island of Grenada and its Dependencies, and it is hereby enacted by

the authority of the same, that so much of the said Act as is hereinbefore recited shall be, and the same is hereby repealed; and that if any person shall break and enter any church or chapel, and steal therein any chattel, or having stolen any chattel in any church or chapel, shall break out of the same, every such offender, being convicted thereof, and every person convicted of aiding or abetting, counselling or procuring the commission of any such offence, shall be liable to be imprisoned for any term not exceeding four years.

Act as is above recited, repealed.

Punishment for breaking and entering any church or chapel, and stealing therein, or having stolen therein, for breaking thereof. Aiders therein.

And whereas, it was by the said recited Act amongst other things also enacted, that if any persons riotously and tumultuously assembled together to the disturbance of the public peace, should, unlawfully, and, with force, demolish, pull down, or destroy, or begin to demolish, pull down or destroy any church or chapel, or any chapel, for the religious worship of persons dissenting from the United Church of England and Ireland, or any house, stable, coach-house, outhouse, warehouse, office, shop, mill, or any building or erection used in carrying on any trade or manufacture, or any branch thereof, or any machinery, whether fixed or moveable, prepared for, or employed in, any manufacture, or in any branch thereof, or any steam engine, or other engine, every such offender should be guilty of felony, and being convicted thereof, should suffer death as a felon, and that in case of every felony punishable under that Act, every principal in the second degree and every accessory before the fact, should be punishable with death, or otherwise in the same manner as the principal in the first degree was by that Act punishable; And whereas, it is expedient that the said last mentioned offences should be no longer punishable with death:

Preamble.

Recites the tumultuously, &c., assembling together to disturb public peace, and unlawfully demolishing, &c., any church, &c., or any house, &c., used in trade, &c., or any machinery.

Be it, therefore, enacted, That from and after the commencement of this Act, if any person shall be convicted of any of the said offences hereinbefore last specified, whether as principal, or as principal in the second degree, or as accessory before the fact, such person shall not be subject to any sentence, judgment, or punishment of death, but shall, instead of the sentence or judgment in and by the said recited Act, ordered to be given or awarded against persons convicted of the said last mentioned offences, or any of them respectively, be liable to be imprisoned for any time not exceeding three years.

Clause II.

Such offences to be punished by imprisonment, not exceeding three years.

And whereas, an Act was passed by the Legislature of Grenada, in the year one thousand eight hundred and thirty-four, intituled "An Act to assimilate the Laws of Grenada, and its dependencies to the Laws of the United Kingdom of Great Britain and Ireland as far as may be practicable, according to the circumstances and condition of this Colony," under or by virtue of which, certain British Statutes relative to the crime of forgery are in force in Grenada, and it is expedient to extend to this Colony the provisions of the Act, passed in the Session of Parliament, holden in the seventh year of the reign of his late Majesty King William the Fourth, and the first year of the reign of Her Majesty the Queen, intituled "An Act to abolish the punishment of death in cases of Forgery."

Act (No. 78) of 6th March, 1834.

Be it, therefore, enacted, That the provisions of the said Act, intituled "An Act to abolish the punishment of death in cases of Forgery," shall be, and the same are, hereby declared to be in force in this Colony.

Clause III.

The Imperial Statute of 7th William IV, to abolish punishment in force here.

And be it enacted, That so much of the Act, passed in the Session of Parliament, holden in the seventh year of the reign of his late Majesty King William the Fourth, and the first year of the reign of Her Majesty the Queen, intituled "An Act for abolishing the punishment of death in certain cases," as is applicable to the circumstances and condition of this Colony, shall be, and the same is, hereby declared to be in force in this Colony.

Clause IV.

Part of the Imperial Act, 7th Will., IV, for abolishing the punishment of death in certain cases, declared in force here.

And be it enacted, That in awarding the punishment of imprisonment for any offence punishable under, or by virtue of, this Act, it shall be lawful for the Court to direct such punishment to be with or without hard labor, in the Common Gaol or House of Correction, and also to direct that the

Clause V.

Imprisonment may be with or without hard labour, and solitary confinement.

offender shall be kept in solitary confinement for any portion or portions of such imprisonment, whether the same be with or without hard labour not exceeding one month at any one time, and not exceeding three months in any one year, as to the Court in its discretion shall seem meet.

Clause VI.

And be it enacted, That nothing in this Act contained shall be construed to affect any of the powers, provisions, or regulations contained in the Act, passed in the Session of Parliament, holden in the first and second years of the reign of Her Majesty, intituled "An Act for the better government of Prisons in the West Indies," or in the Act passed by the Legislature of Grenada, in the year one thousand eight hundred and forty-four, intituled "An Act to authorise the employment of certain prisoners within or without the walls of the Gaol."

No. 123.

No. CLXIX.

An Act to regulate the fees of any future Governor, Chancellor and Ordinary, and of the future holders of certain public offices and benefices in this Government, and the charges of Medical Practitioners for attending Coroners' Inquests. [5th April, 1850.]—Left to its operation by Order in Council, dated 14th August, 1850.

Preamble.

No. 56.

WHEREAS, an Act was passed by the Legislature of Grenada, in the year one thousand eight hundred and twenty-six, intituled, "An Act for regulating the fees of persons holding certain public situations within this Government, as also the charges of Surgeons and Medical Practitioners for attending Coroners' Inquests," so much whereof as fixed or established certain fees to be paid to certain public officers therein mentioned, for any duties or services to be performed by them, respectively, for, or on account of, the public, was repealed by an Act, passed in the year one thousand eight hundred and thirty-six, entitled, "An Act for recompensing the holders of certain public situations with salaries, in lieu of fees, for their public services," and certain salaries were, by the said last recited Act, directed to be paid to the officers therein mentioned, for all public services performable by them respectively, and chargeable against the public; And whereas, it is expedient to regulate the fees of any future Governor, Chancellor and Ordinary, and of the future holders of certain public offices and benefices within this Government, and the charges of Medical Practitioners for attending Coroners' Inquests.

No. 87.

Clause I.

Be it, therefore, enacted, by the Governor, the Council and Assembly of the Island of Grenada and its Dependencies, and it is hereby enacted by the authority of the same, that the several fees set forth in the Schedule to this Act annexed, marked A, shall be the several fees to be taken by any future Governor, Chancellor and Ordinary, any thing in any Act to the contrary notwithstanding; Provided always, that this Act shall not alter, repeal, or take away any fee now payable by Law to the present Governor, Chancellor and Ordinary, but every such fee shall be and continue to be paid to him notwithstanding this Act.

Governor's, Chancellor's, and Ordinary's fees.

Clause II.

Chief Justice's fees to be received by the Secretary of the Supreme Court of Judicature, and by him paid quarterly into the Public Treasury.

And be it enacted, That the several fees set forth in the Schedule hereto annexed, marked B, shall be the several fees to be paid for, or on account of, any act or duty therein enumerated, which may be performed by any future Chief Justice, any thing in any Act to the contrary notwithstanding, and all such fees shall be received by the Secretary of the Supreme Court of Judicature, and be by him paid quarterly into the Public Treasury, for the public uses of the Colony; Provided always, that this

Act shall not alter, repeal, or take away any fee now payable by law to the present Chief-Justice, but every such fee shall be payable and continue to be paid to him, notwithstanding this Act.

And be it enacted, That the several charges, fees, and sums set forth in the Schedule hereunto annexed, marked C, shall be the several charges to be taken by any future Secretary and Register, Provost Marshal and Master in Chancery, for any of the duties or services therein specified, any thing in any Act to the contrary notwithstanding.

Clause III.
Secretary's, Register's, Provost Marshal's, and Master in Chancery's fees.

And be it enacted, That in any case where any Surgeon or Medical Practitioner shall be called in by a Coroner to give an opinion, upon Inquisition of sudden death, and to do and perform any matter or thing appertaining to his practice or profession, it shall be lawful for such Surgeon or Medical Practitioner to charge for the same, according to the rate and charges enumerated and specified under the head of Medical Attendants, in the Schedule marked D, and no more.

Clause IV.
Medical Practitioner's fees on inquests, &c.

And be it enacted, That the several charges, fees, and sums, set forth in the Schedule hereunto annexed, marked E, shall be the charges and fees to be taken by any future Clergymen, Parish Clerks, Sextons and Organists of the several Parishes, Benefices or Cures within this Colony, for the duties or services therein specified, any thing in any Act to the contrary notwithstanding.

Clause V.
Fees of Clergymen, Parish Clerks, Sextons and Organists.

Provided always, and be it enacted, That no person appointed to act temporarily in the place of any present holder of any office or place mentioned in this Act, shall, during the tenure of office or place of such present holder, be considered as a future holder of office, within the meaning of this Act.

Clause VI.
No person, temporarily acting for any present holder of any office mentioned in this act, to be considered a future holder of office.

And be it enacted, That the said first recited Act, so far as regards any future holder of any office or place, whose fees are regulated by this Act, and so much of the *third* [second] Clause of an Act, entitled, "An Act to repeal an Act for providing a support for the Clergy of these Islands; " An Act to supply the defects of former Parish Registers, to compel the due orderly keeping thereof in future, to prevent the celebration of Marriage, otherwise than is therein directed, and to prescribe how persons professing the Roman Catholic Religion may have their Baptisms, Marriages and Burials duly entered in the Parish Registers of the Established Church; and An Act to amend so much of an Act, entitled, an Act for providing a support for the Clergy of these Islands, as relates to the Town and Parish of Saint George, and to provide a support for the Clergy of this Government, and other purposes," and bearing date the eleventh day of December, one thousand eight hundred and seven, as regards the fees of any future Clergymen, Clerks and Sextons of the several Parishes, Benefices or Cures within this Colony, whose fees are regulated by this Act, and also all other Acts or parts of Acts, Orders in Council, joint resolutions of the Council and Assembly, or resolutions of the Council or Assembly, contrary to this Act, shall be, and the same are hereby repealed and rescinded.

Clause VII.
Repeal of certain parts of Acts.

No. 37.

SCHEDULE A.

FEES OF THE GOVERNOR:				AS ORDINARY.			
	£	s.	d.		£	s.	d.
For the Great Seal	-	-	1 1 0	For every Affidavit or Probate to a Will,	-	0 10 0	
„ Signature and Seal at Arms	-	-	0 10 0	Inventory, or Account	-	-	-
AS CHANCELLOR,				„ Letters of Administration and Warrant of Appraisement	-	0 10 0	
„ Seal (Crown of Great Seal) to each Writ	0	4	0	„ every Marriage License	-	1 1 0	
„ Great Seal	-	-	1 1 0				
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SCHEDULE B.

FEES OF THE CHIEF JUSTICE:

	£	s.	d.		£	s.	d.
For every Summons to attend Judge in Chambers - - - - -	0	4	0	For Affidavit sworn in a cause - - - - -	-	0	2 6
" acknowledgment of each person or proof of a Deed - - - - -	0	4	0	" ditto for an Attachment - - - - -	-	0	2 6
" private examination of a femme covert and acknowledgment - - - - -	0	5	0	" ditto to be lodged with the Marshal with execution - - - - -	-	0	2 6
				" proving Power of Attorney - - - - -	-	0	4 0
				" Affidavit to hold to bail - - - - -	-	0	2 6
				" Affidavit and Certificate under Seal - - - - -	-	0	4 0

SCHEDULE C.

DOCKET OF FEES FOR THE SECRETARY'S OFFICE IN THE COURT OF ORDINARY:

For receiving and filing every Petition, and entering order thereon; and for attending Ordinary with every such Petition for order; for drawing notice of order on such Petition, to be inserted in the Gazette; for drawing affidavit to every such Petition, and for administering and certifying the same; for drawing bond for letters of administration, and taking and filing same; for drawing warrant of appraisement on letters of administration granted; for drawing and making out letters of administration, recording same, and for administering oath of qualification to administrator - - - - -	1	5	0	For attending Judge at Court or in Chambers, and minuting and entering order thereon - - - - -	0	12	6
" entering a caveat against letters of administration - - - - -	0	1	0	" drawing and passing every Writ of Replevin and Bond taken thereon - - - - -	-	0	5 0
" attending a Court on every contested matter, and minuting and entering order thereon - - - - -	0	10	0	" filing return on such Writ - - - - -	-	0	1 0
" copying every Petition and Order or, for every folio of 96 words - - - - -	0	5	0	" filing Declaration, and entering same briefly in the Minute Book - - - - -	-	0	1 0
" copying any other paper or proceedings filed or used in the Court - - - - -	0	4	0	" entering the head thereof at large in the Court or Docket Book - - - - -	-	0	0 6
" drawing letters testamentary and warrant of appraisement, and for administering oath of qualification to each executor, and recording same - - - - -	1	0	0	" copy of every Declaration - - - - -	-	0	2 0
" drawing, taking, and filing Bond for every Marriage License, and for drawing and making out every such Marriage License, certifying and passing same, and attending Governor with same for signature and seal - - - - -	0	15	0	" or, for every folio - - - - -	-	0	0 6
" drawing Probate to every Inventory or Account, and for filing and entering same - - - - -	0	10	0	" every Writ of Summons - - - - -	-	0	1 0
" recording Will or Codicil - - - - -	0	5	0	" setting down the Action for trial - - - - -	-	0	0 6
" or, for every folio - - - - -	0	0	6	" issue trial and entering verdict - - - - -	-	0	1 6
" examining and certifying every paper or proceeding as recorded or as a true copy - - - - -	0	1	0	" entering every interlocutory or final Judgment - - - - -	-	0	1 0
" searching the Records for the first year - - - - -	0	1	0	" entering an appearance for each defendant - - - - -	-	0	1 0
" every year thereafter - - - - -	0	0	6	" filing and entering a Plea - - - - -	-	0	1 0
				" filing any other paper, proceeding or exhibit - - - - -	-	0	1 0
				" entering a discontinuance or abatement - - - - -	-	0	1 0
				" copy of a Plea or other proceeding or, for every folio - - - - -	-	0	0 6
				" certifying any pleading or proceeding as a true copy - - - - -	-	0	1 0
				" every certificate of the filing of any such pleading or proceeding - - - - -	-	0	2 0
				" every Writ of Subpoena for every witness therein named - - - - -	-	0	0 6
				" entering satisfaction on a Judgment - - - - -	-	0	1 0
				" recording a Warrant of Attorney - - - - -	-	0	1 0
				" drawing and passing a Writ of Execution, and filing return thereon - - - - -	-	0	4 0
				" drawing and passing every Writ of Fieri facias or Capias ad satisfaciendum, and filing return on same - - - - -	-	0	4 0
				" drawing and passing a Writ of possession or restitution and return - - - - -	-	0	4 0
				" copy of an Execution - - - - -	-	0	1 0
				" taxing every Bill of Costs - - - - -	-	0	2 0
				" minuting a motion in Court and entering the order made thereon - - - - -	-	0	4 0
				" attending Court with Records for arguing special verdict, demurrer, or demurrer to evidence, or other special matter, in any cause, minutes thereof each day same shall be argued - - - - -	-	0	4 0
				" bringing into Court every record, where trial by record, or such record given at any trial - - - - -	-	0	4 0
				" taking a recognizance of Special Bail if by consent of parties, and filing same - - - - -	-	0	4 0
				" ditto ditto where parties justify, and filing same - - - - -	-	0	6 0
				" drawing recognizance for securing payment of purchase money of lands and tenements sold by Provost-Marshal, for taking each acknowledgment of the parties with justification, and recording the recognizance at length, for administering oath of justification, and for examining entry and delivery of such recognizance - - - - -	1	10	0

SUPREME COURT OF JUDICATURE: CIVIL SIDE:

" receiving and filing any affidavit - - - - -	0	1	0
" copy of every such affidavit - - - - -	0	4	0
" or, for every folio - - - - -	0	0	6
" drawing and passing every Warrant of Arrest and affixing seal thereto, and for receiving and filing every return thereon - - - - -	0	4	0
" drawing and passing every Writ of Habeas Corpus, and affixing seal thereto, and for attending Judge with same for signature to endorsement thereon - - - - -	0	5	0
" filing return on such Writ - - - - -	0	1	0

	£	s.	d.
For searching Records first year -	0	1	0
" ditto every year after -	0	0	6
" filing order of Court of Error and entering same in Court Book -	0	2	6
" entering Judgment at large -	1	0	0
" or, per folio of 96 words -	0	0	6

CRIMINAL SIDE.

" every Subpena for every witness therein named -	0	0	6
" copy of any indictment, affidavit, or other proceeding -	0	4	0
" or, for every folio -	0	0	6
" filing every affidavit, exhibit, proceeding or certificate -	0	1	0
" certifying any copy as a true copy -	0	1	0

COMPLAINT COURT.

" entering and filing accounts on Complaints, issuing Writ of Summons, and setting same down for trial -	0	1	0
" attending Court, making out list for Judge, swearing witnesses, and entering Judgment -	0	1	0
" discontinuing every Complaint -	0	0	6
" entering satisfaction -	0	0	6
" Execution -	0	2	6
" Subpena for every witness -	0	0	6
" every Writ of Capias, and for filing returner and affidavit to ground same -	0	6	0

COURT OF ERRORS:

" drawing Bond or Writ in Error and certificate thereof -	0	5	0
" taking and filing -	0	1	0
" drawing and passing Writ of Error, and for attending Governor for seal to same, and Judge to allow same -	0	8	0
" filing same and entering receipt thereon -	0	4	0
" transcript of the record certified on Writ of Error, and for fixing seal thereon -	1	0	0
" or, for each folio -	0	0	6
" filing assignment of errors and every other proceeding or exhibit -	0	1	0
" receiving every Petition, and attending Governor with same for order -	0	4	0
" copy of every Petition -	0	4	0
" or, for every folio -	0	0	6
" certificate of any pleading, filed or omitted to be filed -	0	2	0
" drawing and passing every special Writ of Supersedeas or Certiorari -	0	8	0
" attending Government Office for Seal and Signature -	0	4	0
" filing and entering return and attending Judge for same -	0	4	0
" attending Court of Error, and taking minutes of any interlocutory order -	0	12	6
" ditto ditto on hearing cause for each day or time -	0	12	6
" copies of papers for appeal, per folio -	0	0	6
" certifying each paper as a true copy -	0	1	0
" drawing testimonial on appeal and attending to swear same -	0	12	6
" reading Order in Council made upon appeal -	0	4	0
" entering the same at length amongst the records for the Court of Error, per folio -	0	0	6
" searching Records first year -	0	1	0
" ditto ditto every year after -	0	0	6

DOCKET OF FEES FOR THE REGISTER'S OFFICE:

" recording or copying of any Deed or instrument of writing -	0	8	0
" or, for every folio of 96 words -	0	0	6

	£	s.	d.
For recording Diagram or Plan -	0	10	0
" recording or copying of any Deed or instrument in writing, if in any foreign language, per folio -	0	1	0
" certifying any Deed or other writing as recorded, or as a true copy -	0	1	0
" taking the acknowledgment of a party to a Deed -	0	4	0
" searching the Records for the first year -	0	1	0
" ditto ditto every year after -	0	0	6
" every extract from a Deed taken from the Books of Record, if copied by the Register -	0	5	0
" or, per folio -	0	0	6
" every such extract if taken by a party or Counsel -	0	2	6
" certificate of the contents of every Deed, signed and certified -	0	10	0
" separate certificate of entering and registration of any Deed, with description -	0	6	0

IN CHANCERY:

" every Petition, attending, receiving same, attending Chancellor or Court with same for order, filing Petition, entering order therein, and for copy -	1	0	0
" attending the Court and minuting every motion, and entering order thereon -	0	10	0
" copy of every order -	0	4	0
" or, per folio of 96 words -	0	0	9
" every dismissal of every bill -	0	4	0
" every final decree -	1	0	0
" filing every bill, answer, plea and replication, rejoinder, demurrer, notice, report, certificate, recognizance, exhibit, paper, or other proceeding whatever -	0	2	0
" certifying every copy or any paper or proceeding as a true copy -	0	1	0
" every Writ, except Subpenas -	0	5	0
" filing every return thereon -	0	1	0
" every Subpena -	0	2	0
" every Label -	0	0	6
" drawing affidavits of the truth of all copies or proceedings on appeal or otherwise -	0	8	0
" drawing testimonials of Governor, attending him for signature and to swear to affidavit -	0	10	0
" entering appearance for every defendant -	0	2	0
" attending amending every bill, answer, plea, or other proceeding -	0	10	0
" or, for every folio of 96 words -	0	0	9
" amending opposite party's copy, per like folio -	0	0	9
" certificate of any proceeding -	0	4	0
" attendance in Court on every decision, minuting and entering same -	0	10	0
" copy of every notice of motion, or of filing affidavits, or other proceeding -	0	4	0
" filing every rule -	0	1	0
" copy of every rule -	0	2	0
" attending passing publication -	0	4	0
" setting down cause for hearing -	0	4	0
" copy of every bill, answer, or other proceeding -	0	6	0
" or, per folio of 96 words -	0	0	9
" every extract from any bill, answer, or proceeding -	0	6	0
" or, for every like folio -	0	0	9
" drawing Letters of Guardianship -	0	12	0
" recording the same -	0	6	0

DOCKET OF FEES FOR THE MARSHALS'S OFFICE: SERVING

Declaration and Scire facias -	0	6	0
Subpenas, each witness -	0	4	0
A Special Writ -	0	5	0

	£	s.	d.
Notice of levy to every Defendant -	-	0	4 0
Citation on Petition, each person -	-	0	4 0
Warrant of Contempt -	-	0	10 0
Writ of restitution -	-	1	0 0

SUMMONING

A Special Jury, each -	-	0	1	6
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EXECUTING

Writ of Replevin in Town for dead Goods -	0	6	0
Ditto in Country, additional per mile -	0	1	0
Ditto in Carriacou -	1	1	0
Taking Bond thereon -	0	4	0
Writ of Capias -	0	10	6
Ditto in Country, additional per mile -	0	1	0
Ditto in Carriacou -	1	1	0
Bill of Sale of Vessels -	0	10	0

GIVING POSSESSION OF

Lands and tenements in Town of St. George -	0	10	0
Ditto ditto in the Country -	1	0	0
Ditto ditto in Carriacou and Grenadines -	1	0	0
Sloop Hire -	2	0	0
Any Vessel -	0	10	0
Marshal's conveyance of Lands sold -	0	15	0

EXECUTIONS:

Receiving and minuting on coming in, levy being deemed levying on coming in -	0	10	0
Commission on payment per centum -	2	10	0
Taking Bond for producing effects levied on for sale -	0	8	0
State of every Execution with proceedings thereon -	0	1	0
Assignment on bail bond, each -	0	2	0
Cancelling any Bond or Recognizance -	0	2	0
Certificate of any proceedings under Seal -	0	4	0
Riding to levy, per mile -	0	1	0
Publishing sale in the Gazette, exclusive of printing charges -	0	2	6
Every Return -	0	1	0
For copy of any commitment -	0	2	6

COURT OF CHANCERY:

For executing any Writ in Town -	0	8	0
„ ditto in the Country -	0	16	0

	£	s.	d.
For ditto ditto in the Grenadines -	-	2	10 0
„ attendance at the Court, per diem	-	0	12 6

COURT OF COMPLAINTS:

For serving Complaints, Town -	0	4	0
Country -	0	6	0
Carriacou -	0	8	0
„ Subpoenas, Town, or within a mile of it -	0	2	6
Country -	0	5	0
„ ditto in Carriacou and the Grenadines -	0	8	0
„ executing Writ of Capias, with 1a. mile money, when in the Country -	0	10	6
„ receiving Executions and minuting on coming in -	0	0	6
„ levy being deemed levying on coming in -	0	4	0
„ commission on payments, 2½ per cent. -	-	-	-
„ taking bond for producing effects levied on for sale -	0	5	0
„ state of every Execution with proceedings thereon -	0	0	6
„ assignment on bond on execution and bail bond, each -	0	2	0
„ cancelling any Bond or Recognizance -	0	1	0
„ certificate of proceedings under Seal -	0	2	6
„ riding to levy, per mile -	0	1	0
„ publishing sale of goods in the Gazette, exclusive of Printer's charge -	0	2	6
„ notice of levy to every defendant -	0	2	6

FEES OF THE MASTER AND EXAMINER IN CHANCERY:

For every affidavit -	0	5	0
„ attendance in Court on any motion or order -	0	12	6
„ copies of all papers, &c., per folio of 96 words -	0	0	9
„ drawing reports, per folio of 96 words -	0	1	0
„ every Warrant -	0	4	0
„ each attendance thereon -	0	4	0
„ attendance on accounts and arguments, by the hour -	0	4	0
„ every other attendance -	0	4	0
„ signing Reports -	0	4	0
„ taxing costs -	0	10	6
„ every certificate -	0	2	6

SCHEDULE D.

MEDICAL ATTENDANTS ON INQUESTS:

Attending Inquests in Town -	0	18	0
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Attending Inquests in the Country -	1	16	0
„ dissection when necessary -	1	6	0

SCHEDULE E.

FEES OF THE CLERGY:

For Marriage -	0	5	0
„ registering each Baptism, Marriage or Funeral -	0	2	0
„ Certificate of each -	0	2	0

FEES OF THE PARISH CLERKS AND SEXTONS:

For each grave he shall make, covering up the same -	0	8	0
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For any Certificate required -	0	2	0
„ travelling, per mile -	0	1	0

FEE OF THE ORGANISTS:

For attending any Funeral Service at the Church -	0	8	0
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No. CLXX.

An Act to amend the Laws relating to burning or destroying Buildings and Ships. [2nd May, 1850.]—Left to its operation by Order in Council, dated 14th August, 1850.

WHEREAS, it is expedient to amend so much of an Act, passed by the Legislature of Grenada in the year one thousand seven hundred and seventy, intitled, "An Act for preventing and punishing those who shall wilfully fire, burn or destroy any canes, dwelling-houses, or any other edifices" as relates to any person, who shall unlawfully and maliciously burn, or cause to be burned, or aid, advise, or consent to such burning, of any mansion or dwelling-house, or any mill-house, boiling-house, still-house, curing-house, corn-house, store-house, wharf-house, or any other house, or any ship, sloop, canoe, or any other vessel, or any piece of sugar canes or plantain walk, or any coffee, cocoa, cotton, or any other trees, and so much of an Act passed by the Legislature of Grenada, in the year one thousand eight hundred and thirty-four, intitled, "An Act for the better administration of Criminal Justice," as relates to any person who shall unlawfully and maliciously set fire to any of the buildings or erections therein mentioned, and so much of the said last mentioned Act, as relates to any person who shall unlawfully and maliciously set fire to, or in any wise destroy any ship or vessel, whether the same be complete, or in an unfinished state, or who shall unlawfully and maliciously set fire to, cast away, or in any wise destroy any ship or vessel, with intent thereby to prejudice any owner, or part owner of such ship or vessel, or of any goods on board the same, or any person that hath underwritten, or shall underwrite any policy of Insurance upon such ship or vessel, or on the freight thereof, or upon any goods on board the same, and so much of the said last mentioned Act as relates to any person who shall exhibit any false light or signal, with intent to bring any ship or vessel into danger, or who shall unlawfully and maliciously do anything tending to the immediate loss or destruction of any ship or vessel in distress, or destroy any part of any ship or vessel which shall be in distress, or wrecked, stranded or cast ashore, or any goods, merchandize, or articles of any kind belonging to such ship or vessel, or who shall by force prevent or impede any person endeavouring to save his life from such ship or vessel, whether he shall be on board or shall have quitted the same, and so much of the said last mentioned Act as relates to the punishment of principals in the second degree, and of accessories before and after the fact, respectively, to such of the felonies punishable under that Act, as are hereinbefore referred to ;

Be it, therefore, enacted, by the Governor, the Council and Assembly of the Island of Grenada and its Dependencies, and it is hereby enacted by the authority of the same, and so much of the said Acts as is hereinbefore referred to, shall continue in force until and throughout the day of the passing of this Act, and shall, from and after that day be repealed, except as to offences committed before or upon that day, which shall be dealt with and punished as if this Act had not been passed.

And be it enacted, That whoever shall unlawfully and maliciously set fire to any dwelling-house, any person being therein, shall be guilty of felony, and being convicted thereof shall suffer death.

And be it enacted, That whosoever shall unlawfully and maliciously set fire to any Church or Chapel, or to any Chapel for the religious worship of persons dissenting from the United Church of England and Ireland, or shall unlawfully and maliciously set fire to any house, stable, mule pen, cattle pen, cow-house, cart-house, coach-house, out-house, warehouse, office, shop, mill, mill-house, boiling-house, still-house, curing-house,

Preambl.
3rd April, 1770.

No. 79—2nd August
1834.

Clause I.
Acts referred to, to continue in force until and throughout the day of passing this Act, and after repealed.

Clause II.
Setting fire to dwelling-house.

Clause III.
Setting fire to a church or chapel-house, &c., &c.

begass-house, corn-house, store-house, hovel, shed, or fold, or to any building or erection used in carrying on any trade or manufacture, or any branch thereof, or to any farm building, or any building or erection used in farming land, whether the same or any of them, respectively, shall then be in the possession of the offender, or in the possession of any other person, with intent thereby to injure or defraud any person, shall be guilty of felony, and, being convicted thereof, shall be liable to be imprisoned for any term not exceeding three years.

Clause IV.
Setting fire to farm,
produce, or imple-
ments, in farm
buildings.

And be it enacted, That whosoever shall unlawfully and maliciously set fire to any hay, straw, wood, or other vegetable produce, being in any Farm-house or Farm-building, or to any implement of husbandry, being in any Farm-house or Farm-building, with intent thereby to set fire to such Farm-house or Farm-building, and to injure or defraud any person, shall be liable to the pains and penalties of unlawfully and maliciously setting fire to the said Farm-house or Farm-building, with intent thereby to injure or defraud such person.

Clause V.
Setting fire to ships
or vessels with in-
tent to murder.

And be it enacted, That whosoever shall unlawfully and maliciously set fire to, cast away, or in any wise destroy any ship or vessel, either with intent to murder any person, or whereby the life of any person shall be endangered, shall be guilty of felony, and being convicted thereof shall suffer death.

Clause VI.
Hanging out false
lights to cause ship-
wreck.

And be it enacted, That whosoever shall unlawfully exhibit any false light or signal, with intent to bring any ship or vessel into danger, or shall unlawfully and maliciously do anything tending to the immediate loss or destruction of any ship or vessel in distress, shall be guilty of felony, and being convicted thereof, shall suffer death.

Clause VII.
Setting fire to ships
or vessels, with in-
tent to destroy
same.

And be it enacted, That whosoever shall unlawfully and maliciously set fire to, or in any wise destroy any ship or vessel, whether the same be complete, or in an unfinished state, or shall unlawfully and maliciously set fire to, cast away, or in any wise destroy any ship or vessel, with intent thereby to prejudice any owner or part owner of such ship or vessel, or of any goods on board the same, or any person that hath underwritten, or shall underwrite any policy of Insurance upon such ship or vessel, or on the freight thereof, or upon any goods on board the same, shall be guilty of felony, and being convicted thereof, shall be liable to be imprisoned for any term not exceeding three years.

Clause VIII.
Impeding any per-
son endeavouring to
save his life from
any ship wrecked.

And be it enacted, That whosoever shall by force prevent or impede any person endeavouring to save his life from any ship or vessel which shall be in distress, or wrecked, stranded, or cast on shore (whether he shall be on board or shall have quitted the same), shall be guilty of felony, and being convicted thereof, shall be liable to be imprisoned for any term not exceeding three years.

Clause IX.
Destroying wrecks
or any articles be-
longing thereto.

And be it enacted, That whosoever shall unlawfully and maliciously destroy any part of any ship or vessel which shall be in distress, or wrecked, stranded, or cast on shore, or any goods, merchandize, or articles of any kind, belonging to such ship or vessel, shall be guilty of felony, and being convicted thereof, shall be liable to be imprisoned for any term not exceeding three years.

Clause X.
Setting fire to agri-
cultural produce,
&c.

And be it enacted, That whosoever shall unlawfully and maliciously set fire to any field or piece of sugar canes, coffee, cocoa, corn, cotton, guinea grass, or tobacco, or to any plantain walk, or to any stack of corn, grain, cane trash, straw, stubble, hay, coals, charcoal, begass, wood, or brush wood, shall be guilty of felony, and being convicted thereof, shall be liable to be imprisoned for any term not exceeding three years.

Clause XI.
Punishment of ac-
cessories.

And be it enacted, That in the case of every felony punishable under this Act, every principal in the second degree and every accessory before the fact, shall be punishable with death or otherwise in the same manner as the principal in the first degree is by this Act punishable, and every accessory, after the fact, to any felony punishable under this Act, shall, or

conviction, be liable to be imprisoned for any term not exceeding two years.

And be it enacted, That where any person shall be convicted of any offence punishable under this Act, for which imprisonment may be awarded, it shall be lawful for the Court to sentence the offender to be imprisoned, or imprisoned and kept to hard labour, in the Common Gaol or House of Correction, and also to direct that the offender shall be kept in solitary confinement for any portion or portions of such imprisonment, or of such imprisonment with hard labor, not exceeding one month at any one time, and not exceeding three months in any one year, as to the Court in its discretion shall deem meet.

Clause XII.
Offences punishable by imprisonment.

And be it enacted, That every male person under the age of eighteen years, who shall be convicted of any offence under this Act not punishable with death, shall be liable, at the discretion of the Court before which he shall be convicted, in addition to any other sentence which may be passed upon him, to be publicly or privately whipped in such manner, and as often, not exceeding thrice, as the Court shall direct.

Clause XIII.
Males under 18 years of age may be whipped, &c.

And be it enacted, That nothing in this Act contained shall be construed to affect any of the powers, provisions, or regulations contained in an Act, passed in the session of Parliament, holden in the first and second years of the reign of Her Majesty the Queen, intituled, "An Act for the better government of Prisons in the West Indies," or in an Act passed by the Legislature of Grenada, in the year one thousand eight hundred and forty-four, intituled, "An Act to authorize the employment of certain prisoners within or without the walls of the Goal.

Clause XIV.
Not to affect powers of 1 and 2 Victoria, and Colonial Act of 1844, (No. 123.) authorising employment of prisoners within or without walls of Gaol.

No. CLXXI.

An Act to authorize the appropriation of part of the Immigration Monies. [2nd May, 1850.]—Left to its operation by Order in Council, dated 14th August, 1850.

Vide Act, No. 177.

WHEREAS, certain monies have been granted by the Legislature of Grenada to Her Majesty, to be applied for the purposes of immigration, and it is expedient to authorize the appropriation of part of such monies for defraying the expenses of conveying voluntary emigrants from Africa to this Colony:

Preamble.

Be it, therefore, enacted, by the Governor, the Council and Assembly of the Island of Grenada and its Dependencies, and it is hereby enacted by the authority of the same, that it shall be lawful for the Governor in Council, from time to time, to issue his warrant to the Public Treasurer for payment out of any monies now or hereafter to be granted to Her Majesty for the purposes of immigration, of the expenses which may be incurred by or under the authority of Her Majesty's Government in conveying natives of Africa who shall voluntarily emigrate therefrom to this Colony, not exceeding five pounds for each such African.

Clause I.
Governor may issue warrant for payment, out of immigration monies, for expenses in conveying voluntary African immigrants into this Colony.

And be it enacted, That it shall be lawful for the Governor in Council to issue his warrant to the Public Treasurer for payment of the expenses incident to the support and maintenance of such Africans from the date of their arrival at Grenada, until they can be properly located to the satisfaction of the Governor.

Clause II.
And for their support here until properly located.

And be it enacted, That it shall be lawful for the Governor to assign such Africans on their arrival at Grenada to such person or persons as to him shall seem meet, to be employed under Contract for one year in the service of the person or persons to whom such Africans shall be so assigned, upon the same terms and conditions as the liberated or captured Africans which have been or shall be conveyed to this Colony at the expense of Her

Clause III.
Governor may assign such Africans under contract for one year.

Majesty's Government, and all such Africans being capable of work shall be liable and bound to serve according to the terms and stipulations of such Contract, for the said period of a year, unless such Contract shall be sooner dissolved by lawful authority.

Clause IV.
" Governor."

And be it enacted, That the word " Governor," in this Act, shall be construed to mean the Officer for the time being administering the government of this Colony.

No. CLXXII.

An Act to authorise the Public Treasurer to pay a sum of two hundred and fifty pounds to the Reverend Samuel Power, Roman Catholic Priest, towards the completion of the Roman Catholic Church, in the parish of St. Patrick, in Grenada. [9th November, 1850.]—Left to its operation by Order in Council, dated 3rd February, 1851.

No. CLXXIII.

An Act to fix the rate of, and to provide for, the payment of Sloop hire, by prosecutors, and by witnesses for the prosecution of indictments, coming from, and returning to Carriacou. [9th November, 1850.]—Left to its operation by Order in Council, dated 3rd February, 1851.

Preamble.

WHEREAS, it is just and expedient to fix the rate of, and to make provision for the payment of the hire, of any sloop or other vessel, by any prosecutors, and by witnesses coming from, and returning to, the Island of Carriacou, to give testimony in the Supreme Court of Judicature against any person or persons accused of Felony or of Misdemeanor ;

Clause I.

Be it, therefore, enacted, by the Governor, the Council and the Assembly of the Island of Grenada and its Dependencies, and it is hereby enacted by the authority of the same, That when any person or persons shall be conveyed from the Island of Carriacou, and shall appear upon recognizance or subpoena to prosecute or give evidence in the Supreme Court of Judicature against any person or persons accused of Felony or of Misdemeanor, the owner or owners of the sloop or other vessel conveying such prosecutor and witnesses shall be entitled to receive and be paid for the conveyance of each and every such prosecutor and witnesses from and to Carriacou inclusive, a sum of ten shillings of lawful money of Grenada ; and the account for the same shall be rendered to the Committee of Public Accounts, to be audited and allowed in like manner as other accounts against the Public of this Colony are required to be audited and allowed ; and although no Bill of Indictment shall be preferred, it shall still be lawful for the Committee of Public Accounts, where any person or persons shall, in the opinion of the Committee, bona fide have been conveyed from and to Carriacou in the manner aforesaid, in obedience to any such recognizance or subpoena, to allow the said sum of ten shillings to the owner or owners of the sloop or vessel so conveying each and every such prosecutor and witnesses as aforesaid.

Clause II.

And in order to assist and satisfy the Committee of Public Accounts, in the auditing of the said account for the hire of any sloop or vessel conveying such prosecutor or witnesses from and to Carriacou, to give evidence in the Supreme Court of Judicature as aforesaid ; Be it, and it is hereby further

enacted, That the Justice or Justices of the Peace, or Coroner, before whom such prosecutor and witnesses shall enter into a recognizance to prosecute or appear, and the Secretary of the Supreme Court of Judicature, in the case of any subpoena or subpoenas being issued for such witnesses, shall severally certify at the foot of the said account that the person or persons (naming them) so conveyed by such sloop or vessel from Carriacou, to give evidence in the Supreme Court of Judicature, as aforesaid, was or were bound, before him or them, by recognizance, or in the case of subpoena or subpoenas, that a subpoena or subpoenas was or were duly issued from the office of Clerk of the Crown to the person or persons (naming him, her or them), to appear and to prosecute or give evidence in the premises against, and naming the person or persons accused; and the person or persons so conveyed shall also certify at the foot of the said account, such certificate to be attested by a Magistrate, that such person or persons was or were so respectively conveyed.

No. CLXXIV.

An Act to amend the Tonnage Act. [9th November, 1850.]—Left to its operation by Order in Council, dated 3rd February, 1851.

WHEREAS, an Act was passed by the Legislature of Grenada, in the year one thousand eight hundred and forty-eight, intituled, "An Act to make certain Tonnage Duties heretofore payable to, and applicable by, the principal officers of Her Majesty's Customs, to be hereafter payable to, and applicable by, the Public Treasurer of Grenada," by which it was enacted, That it shall be lawful for the Public Treasurer, and he is thereby required to demand and receive, on the entry at his office of every Vessel (except as thereafter provided and enacted) arriving and discharging any goods at any Port in this Colony, a duty at and after the rate of one shilling and six-pence for each and every ton of the registered burthen of every such Vessel, provided that no Vessel under the burthen of sixty tons shall be liable to pay such duty oftener than once in twelve successive calendar months; And whereas, Vessels arriving in ballast, and taking cargo from, without landing cargo at this Colony, are not lable to tonnage duty under the said Act, and it is fair and just that such Vessels should pay tonnage duty; Be it, therefore, enacted, by the Governor, the Council and Assembly of the Island of Grenada and its Dependencies, and it is hereby enacted by the authority of the same, that every Vessel lading cargo at any Port in this Colony, although such Vessel may not have discharged cargo thereat, shall be liable to a duty at and after the rate of one shilling and six-pence for each and every ton of the registered burthen of every such Vessel, to be paid to the Public Treasurer before the lading of any cargo on board such Vessel; Provided always, that no Vessel under the burthen of sixty tons shall be liable to pay such duty oftener than once in twelve successive calendar months.

And be it enacted, That if the Master of any Vessel liable to duty under this Act shall refuse or omit to pay such duty, he shall be guilty of a misdemeanor.

And be it enacted, That this Act shall be considered as one Act with the said recited Act, and incorporated therewith.

No. CLXXV.

An Act for procuring Annual Returns of certain objects of Property. [12th December, 1850.]

Clause I.
Council and Assembly to appoint Commissioners annually.

Commissioners to take oath entered in Schedule A.

Clause II.
Possessors of Houses to return Annual Rental.

Clause III.
Possessors of lands to return produce, &c.

Clause IV.
Possessors of Saddle and Draught Horses, &c., to return same.

Clause V.
Possessors of objects liable to pay direct tax, to return same.

BE IT ENACTED, by the Governor, the Council and Assembly of the Island of Grenada and its Dependencies, and it is hereby enacted by the authority of the same, That it shall be lawful for the House of Assembly, with the concurrence of the Board of Council, in every year, to appoint three competent persons to act as Commissioners for the purposes of this Act, in or for each of the following Districts, that is to say, in and for the Town of Saint George, and in or for the Parish of Saint George, and in or for the United Parishes of Saint John and Saint Mark, and in or for the Parish of Saint Patrick, and in or for the Parish of Saint Andrew, and in or for the Parish of Saint David, and in or for the Island and Parish of Carriacou and the Grenadines; And every such person shall, before he shall enter upon the duties of his office, take the oath prescribed by this Act, and entered in Schedule A, applicable to such office, which oath any Justice of the Peace is hereby authorized to administer.

And be it enacted, That every owner, lessee or possessor of any house, store, shed, building, lot or tenement within this Colony shall, within the time by this Act directed, by himself, or his authorized agent, make out and deliver to the Commissioners for the Town or Parish, or United Parishes, in which such house, store, shed, building, lot or tenement shall be situate, a return, setting forth the rate of the annual valued rental of every such house, store, shed, building, lot or tenement, during the then preceding year.

And be it enacted, That every owner, lessee or possessor of any plantation or land within this Colony shall, within the time by this Act directed, by himself, or his authorized agent, make out and deliver to the Commissioners for the Parish, or United Parishes, in which such plantation or land shall be situate, a return, setting forth to the best of his belief, the quantity of land planted in canes, coffee, cocoa, cotton, arrowroot, tous les mois and provisions, respectively, or under other cultivation, or used for pasture, or uncultivated: and the quantity of sugar, rum, molasses, syrup, coffee, cocoa, cotton, arrowroot, or tous les mois, manufactured or produced thereon or therefrom, and the number of horses, mules, asses, horned cattle, carts and waggons, attached or belonging to such plantation on the thirty-first day of December, in the preceding year.

And be it enacted, That the owner or possessor of every saddle or draught horse, saddle or draught mule, carriage, cart and waggon, not attached or belonging to any plantation shall, within the time by this Act directed, by himself, or his authorized agent, make out and deliver to the Commissioners for the Town or Parish, or United Parishes in which such owner or possessor shall reside, or any such animal or thing shall be or be kept, a return of every such animal or thing so owned or possessed by him, on the thirty-first day of December, in the preceding year.

And be it enacted, That every person who is, or shall be liable to pay any tax imposed or to be imposed by any Act of the Legislature of this Colony, for or in respect of any object, matter or thing possessed by him within the year ending upon the thirty-first day of December, then last past, a Return whereof is not or shall not be expressly required to be made by such person to the Public Treasurer shall, within the time by this Act required, by himself, or his authorized agent, make out and deliver to the Commissioners for the Town or Parish, or United Parishes, in which such person shall dwell, or such object, matter or thing, respectively, shall be or be kept, a return of every such object, matter or thing.

And be it enacted, That in case any person hereinbefore required to make any return under this Act shall be absent from the Colony at the time appointed for giving in such return, then the attorney, manager, chief overseer, or other person having the principal charge, or being in possession or receipt of the plantation, object, matter or thing, of which a return is required by this Act shall, and he is hereby deemed, and declared to be an authorized agent of such absent person, within the meaning of this Act, and shall, and he is, as such authorized agent, hereby required to make and give in such return, for such absent person.

Clause VI.
In case of absence of principal, return to be made by Agent.

And be it enacted, That when any person, under the age of sixteen years, shall be the owner of any object, matter or thing, of which a return is required by this Act, the parent, guardian or trustee of such infant, or the person in charge or possession of such object, matter or thing on his behalf, shall, and he is hereby required to make and give in such Return, for such infant.

Clause VII.
Parent, Guardian or Trustee of Infant under 16, to make return.

And be it enacted, That in case any person shall by sickness, or other unavoidable cause, be hindered or prevented from giving in to the Commissioners any return required by this Act, it shall be lawful for the Public Treasurer to receive the same, on oath, from such person, or from the acknowledged agent of such person making and giving in such return for him, at any time before the tenth day of March, in the year wherein such return ought to have been given in to the Commissioners.

Clause VIII.
In case of sickness Treasurer may receive return.

And be it enacted, That the Commissioners shall, on or before the twenty-fourth day of December, in the current year, and on or before the fifteenth day of December in every subsequent year, issue their warrant, directed to some person specially appointed by them in the several Towns and Parishes of this Colony, requiring him to summon all persons liable to make any return under this Act, to appear before the respective Commissioners for the several Towns and Parishes, or United Parishes of this Colony, at some convenient time and place in such Towns or Parishes, respectively to be named and appointed in such warrant and summons respectively, not later than the twentieth day of January then next ensuing, then and there to appear and give in the returns required by this Act, and such Commissioners shall, with such warrant, deliver to such person, a sufficient number of printed lists or tables, according to the forms provided or authorized by this Act, and such Commissioners shall give at least ten days notice by advertisement in some newspaper, to be printed and published within the said Island of Grenada, of the time and place fixed in such warrants for taking such returns.

Clause IX.
Commissioners to issue warrants to summon persons to make returns, and give notice thereof of time and place appointed.

And be it enacted, That every person to whom any such warrant shall be delivered, shall be, and he is hereby required, forthwith, to obey and execute the same, by delivering one of such printed lists or tables to, or leaving the same at, the usual place of abode of all persons living within the Town or Parish, and liable to make any such return, and every such person shall put down, in writing, the names of the several persons so by him served, and the manner of such service.

Clause X.
Execution of Warrant.

And be it enacted, That the Commissioners shall, and they are hereby required, to attend on the day and at the place mentioned in such advertisement and warrant, from the hour of ten o'clock in the forenoon, until the hour of three o'clock in the afternoon, for three days, successively, at which time and place the person to whom any such warrant shall have been delivered shall also attend the Commissioners, and deliver to them a just and true account, verified on oath, before such Commissioners, which oath, such Commissioners are, or any one of them, is hereby authorized to administer, of all persons served by such person with any such list or table, and the time and manner of such service; And every such person shall be entitled to receive from the Public Treasury, one penny for every service in the Town of Saint George, or any other Town, and two pence for every service in any other place in any of the Parishes or United Parishes, which shall be certified by the Commissioners to have been duly made.

Clause XI.
Attendance of Commissioners to take returns.

Clause XII.

Attendance of parties to make returns.

And be it enacted, That at the time and place appointed for taking such returns, each person who shall have been served with any such list or table, or shall be liable to make any return under this Act, shall, by himself, or his agent, deliver such list or return with the blanks, correctly filled up, to the Commissioners for the Town or Parish or United Parishes, and the party making such return shall swear to the truth thereof, according to the best of his knowledge and belief, before such Commissioners.

Clause XIII.

Commissioners may examine persons making returns.

And by it enacted, That the Commissioners, if they shall deem it expedient so to do shall, and they are hereby authorized to examine each person so making a return, as aforesaid, on oath, touching such return, and the Commissioners may, with the consent of such person, correct any such return, in any particular in which the same may appear to be erroneous.

Clause XIV.

Commissioners to assess rental, make alphabetical list in duplicate, affix one copy at Court-House, and forward copy to Magistrate.

And be it enacted, That the Commissioners shall, after receiving the returns required by this Act, ascertain and assess therefrom, or from their own inspection, or other correct source of information, the value of the rental of all houses, stores, sheds, buildings, lots and tenements, and shall also ascertain and assess every person who may in respect of any object, matter or thing be liable under any Act to any public tax, rate or assessment, and shall make out, in alphabetical order, a list of every such assessment and person, in the form prescribed in Schedule B, to this Act, and shall, on or before the tenth day of February, in each year, affix a copy of such list, signed by such Commissioners, upon the principal door of the Court-House, within the respective Towns or Parishes, and forward another copy thereof, so signed, to the chairman of the Board of Magistrates therein.

Clause XV.

Justices to hold petty sessions, of which notice to be given to hear objections to assessments. Persons dissatisfied with assessment, on giving three days notice to Commissioners, may object to same.

And be it enacted, That the Justices of the Peace shall hold a special petty session, on some day or days between the twenty-fifth day of February, and the tenth day of March, in each year, of which seven days' previous notice shall be given, by advertisement, in one or more of the newspapers, to be printed and published within the said Island of Grenada, and by affixing a written or printed paper, signed by the Chairman of the Board, on the principal door of the Court-House in the respective Towns or Parishes, for the purpose of hearing objections to the assessment so made by the Commissioners, and if any person interested in, or affected by, any such assessment, shall be dissatisfied therewith, and shall give notice of his intention to object to such assessment to the Commissioners not less than three days before the day appointed for holding such petty session, it shall be lawful for the Justices then assembled, and they are hereby required, to inquire into such objections, and for that purpose to examine the party complainant, the Commissioners, and any Witnesses, on oath, touching the matter of such assessment, and to confirm, annul, or correct such assessment, as to such Justices shall seem just, and the Chairman of such Board shall thereupon sign such list, or corrected list, and forward or deliver the same to the Public Treasurer.

Clause XVI.

Penalty for refusing or neglecting to make return, &c.

And be it enacted, That if any person required to give in any return under this Act shall, without lawful excuse, refuse or neglect to give in such return, or shall refuse to take any oath hereby prescribed, or who, after being sworn, shall refuse to answer any question which may be put to him by the Commissioners, so as to evade giving an account of any object, matter or thing possessed or employed by him, or whereof an account is required from him under this Act, every such person shall, on conviction thereof before any two or more Justices of the Peace, on the complaint of the Commissioners, or the Public Treasurer, forfeit and pay such sum of money, not exceeding ten pounds, as such Justices shall award.

Clause XVII.

Penalty for false return.

And be it enacted, That if any person in or upon any return, examination, or deposition on oath required or authorized by this Act, shall wilfully and corruptly make any false statement, give false evidence, or swear any matter or thing which shall be false or untrue, every such person so offending

and being thereof duly convicted, shall be subject and liable to such pains and penalties, as by the laws, in force, persons convicted of wilful and corrupt perjury are subject and liable to.

And be it enacted, That the Commissioners shall receive from the Public Treasury five pounds for the Town of Saint George, and five pounds for each of the Parishes, or United Parishes, and Carriacou and the Grenadines, for defraying the expenses attendant upon the preparation of such lists as are directed to be made by this Act.

Clause XVIII.
Remuneration
Commissioners.

And be it enacted, That all pecuniary forfeitures incurred under any of the provisions of this Act, shall be inquired of, and adjudicated by, or before two or more Justices of the Peace, at the instance of the Public Treasurer, or of the Commissioners, and upon complaint thereof, respectively made, by or on behalf, or at the instance of, such Treasurer or Commissioners, to any Justice of the Peace, such Justice of the Peace shall, and he is hereby required, to summon the person or persons charged to appear before him, and any other Justice of the Peace, at the time and place to be named in such summons; and if the person summoned shall not appear accordingly, then, upon proof of the due service of the summons on such person, or by leaving the same at his usual place of abode, the said Justices, or any two or more Justices of the Peace, may proceed to hear and determine the case, or issue their warrants for apprehending such person, and for bringing him before such Justices.

Clause XIX.
Disposal of forfeitures.

And be it enacted, That in every case of a summary conviction under this Act, where the sum which shall be forfeited or ordered to be paid, shall not be paid immediately after the conviction, or within such period, not exceeding ten days after the conviction, as the Justices shall at the time of conviction appoint, it shall be lawful for the convicting Justices, by warrant under their hands and seals, to authorize and require any constable to levy the same, together with the costs and charges attending such levy, by distress and sale of the goods and chattels of the person so convicted, and in default of such distress, it shall and may be lawful for such Justices to commit such person so convicted to the common gaol of this Island, there to be imprisoned, for any term not exceeding three calendar months, or until payment of such sum, so forfeited or ordered to be paid.

Clause XX.
Proceedings on
summary convictions.

And be it enacted, by the authority aforesaid, That if any Commissioner, or person specially appointed by them to serve summonses, as hereinbefore directed, and who shall agree with the Commissioners for the performance of such duty, not being incapacitated by sickness or absence from the Island, shall neglect or refuse to do and perform any part of the duty respectively required of him by this Act, every such Commissioner or other person being thereof duly convicted, shall forfeit, as follows, that is to say, any Commissioner ten pounds, and any such other person, five pounds.

Clause XXI.
Penalty on Commissioner or Person
appointed by them
for refusing or neglecting to perform
duties.

And be it enacted, That all pecuniary forfeitures incurred and imposed under or by virtue of this Act, shall be payable to Her Majesty, and shall be paid to the Public Treasurer, for the public uses of the Colony.

Clause XXII.
Forfeitures payable
to Her Majesty to
be paid to Treasurer.

And be it enacted, That wherever in this Act, with reference to any person, matter or thing, any word or words is or are used, importing the singular number, or the masculine gender only, yet such word or words shall be understood to include several persons, as well as one person, females as well as males, bodies politic or corporate, as well as individuals, and several matters or things, as well as one matter or thing, unless it be otherwise specially provided, or there be something in the subject or context repugnant to such construction; And that wherever the terms and expressions following occur in this Act, they shall be construed, respectively, in the manner hereinafter directed, that is to say, that the expression, "Her Majesty," shall be construed to mean and include Her Majesty, her heirs and successors; The word "Governor," shall be construed to mean the officer administering the Government of this Colony; The expression

Clause XXIII.
Interpretation
Clause.

"Commissioners," shall mean and include the Commissioners, or a majority of the Commissioners for the Town or Parish or United Parishes for which they shall be appointed or authorized to act, or in which the person making the return shall dwell, or the object of taxation shall be or be kept, and the term "Oath," shall mean and include an affirmation in case of Quakers, or other persons, entitled by law to make affirmation in lieu of an oath.

Clause XXIV.
Form of Returns,
&c.

And be it enacted, That the returns to be made to the Commissioners under this Act, shall be in the form contained in Schedule C to this Act, and a sufficient number of printed copies thereof shall be furnished by the Public Treasurer to the Commissioners as soon as may be in the current year, and on or before the first day of December in every subsequent year.

Clause XXV.
Monies payable under
Act out of Treasury,
to be paid on

And be it enacted, That all monies directed to be paid from the Public Treasury under this Act, shall be paid on the warrant of the Governor.

Clause XXVI.
Repeal of Acts.

And be it enacted, That the Act passed by the Legislature of Grenada, in the year one thousand eight hundred, intituled, "An Act for establishing a more effectual mode of procuring Annual Returns of the Population of these Islands, with the number of white servants employed, as well as for ascertaining certain objects of property belonging to the inhabitants, and for appointing Commissioners to carry the same into execution," and the Act passed by the Legislature of Grenada, in the year one thousand eight hundred and twenty-three, intituled, "An Act for altering certain parts of an Act, commonly called the Population Act, and for appointing Commissioners to carry into execution the several Acts for procuring Annual Returns of the Population of these Islands, and for taking returns of certain objects of property possessed by the inhabitants thereof," and so much of the Act passed by the Legislature of Grenada, in the year one thousand eight hundred and forty-three, intituled, "An Act for assessing and ascertaining the valued rental of certain houses, stores, sheds, buildings, lots and tenements, and for granting and regulating licenses to retail spirits, to trade as a hawker, pedlar or petty chapman, to carry on the business of an auctioneer, and to possess certain boats and canoes, respectively," as relates to the appointment of assessors, for assessing and ascertaining the value of the rental of such houses, stores, sheds, buildings, lots and tenements, and the powers and duties of such assessors thereunder, and the Act passed by the Legislature, in the year one thousand eight hundred and forty-five, intituled, "An Act to amend an Act for assessing and ascertaining the valued rental of certain houses, stores, sheds, buildings, lots and tenements," shall be, and the same are hereby, severally, repealed; provided that this Act shall not be construed to revive any Act, or part or parts of any Act, repealed by the said recited Acts, or any of them.

Part of Act, No.
113.

No. 128.

SCHEDULE A.

FORM OF OATH OR AFFIRMATION TO BE TAKEN BY THE COMMISSIONERS UNDER THIS ACT.

I, A. B., do swear (or affirm) that in the execution of an Act passed by the Legislature of Grenada, intituled, "An Act," (here set forth the title of this Act) I will, in all respects, act diligently and honestly, and without fear or affection, to the best of my knowledge and belief.—So HELP ME God.

ACCOUNT OF SERVICE OF PRINTED LISTS OR TABLES OF RETURNS.

I, A. B., do swear (or affirm) that the following is a just and true account of the Inhabitants served by me, with any printed List or Table of

Return required by the Act, intituled, "An Act," (here set forth the title of this Act) and of the manner of such service.—So HELP ME GOD.

Names.	Time of Service.	Manner of Service.
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SCHEDULE B.

LIST OF ASSESSMENT TO BE AFFIXED UPON THE COURT-HOUSE DOOR.

Assessments for the Town (or Parish) of _____ for the year ended 31st December, 185 _____

DESCRIPTION OF PROPERTY ASSESSED.

Names.	House, Store, Shed, Building, Lot or Tenement.	Plantation or Land.	Saddle or Draught Horse, Saddle or Draught Mule, Carriage, Cart or Waggon.	Other taxable object.	Amount of assessed value of rental or quantity or value of other objects assessed.	General remarks.
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SCHEDULE C.

RETURN OF

I, A. B., do swear (or affirm) that the following is a just and true Return, to the best of my knowledge and belief, of the information required of me (or of C. D., for whom I am agent) under the Act intituled "An Act," (here set forth the title of this Act) for the year ending 31st December, 185 .—So HELP ME GOD.

PROPERTY, OBJECTS, &c.

Saddle Horses and Mules.	Acres of land in other cultivation.
Draught ditto ditto.	" " Pasture.
Worn Cattle.	" " Uncultivated.
Asses.	lbs. of Muscovado sugar manufactured.
Carriages.	" Coffee.
Waggons.	" Cocoa.
Carts.	" Cotton.
Assessed rental of Houses and Premises.	" Arrow Root.
Number of acres of land in Canes.	" Tous les Mois.
Acres of land in Coffee.	" Other Produce.
" " Cocoa.	Gallons of Rum.
" " Cotton.	" Molasses.
" " Arrow Root.	" Syrup.
" " Tous les Mois.	" Shrub.
" " Provision.	" Lime Juice.

No. CLXXVI.

An Act to increase the number of Colonial Revenue Officers, and to constitute the Ports of Hillsborough, in Carriacou, and Grenville, in Grenada, Ports of Entry, and to provide for the management and collection of the Customs at the said Ports. [18th December, 1850.]—Left to its operation by Order in Council, dated 5th May, 1851.

Preamble.
Recites Act, No.
155.

And Act No. 167.

Clause I.
Authorizes the Governor to appoint four Colonial Revenue Officers, in addition to the three authorized to be appointed by first recited Act.

Clause II.
Remuneration of additional officers.

WHEREAS, an Act was passed by the Legislature of Grenada, in the year one thousand eight hundred and forty-eight, intituled, "An Act for the management of the Colonial Customs of Grenada, and for the warehousing of goods at the port of Saint George," whereby it was enacted, That it should be lawful for the Governor, from time to time, to appoint one or more person or persons, not exceeding three, to be called Colonial Revenue Officers, to act under the control and direction of the Public Treasurer, and to be assistant to him in the management and collection of the Colonial Customs, and in superintending the landing and lading of goods imported into, or exported from, this Colony, and in all matters connected therewith; And whereas, by another Act of the said Legislature, passed in the year one thousand eight hundred and forty-nine, intituled, "An Act to increase the number of Colonial Revenue Officers," it was enacted, that in addition to three Colonial Revenue Officers authorized to be appointed by the said (first mentioned) Act, it should be lawful for the Governor, from time to time, to appoint two other persons to be Colonial Revenue Officers, to act as in the said (first) recited Act mentioned; And whereas, the said Act, so passed in the year one thousand eight hundred and forty-nine, is limited to expire on the thirtieth day of November, one thousand eight hundred and fifty; and whereas, it is expedient to increase the number of such Colonial Revenue Officers, and that four of such Officers should be stationed at the out ports, respectively mentioned herein, namely, the Island of Carriacou, the Parish of St. Andrew, the Parish of St. Patrick, and the United Parishes of St. John and St. Mark;

Be it therefore enacted, by the Governor, the Council and Assembly of the Island of Grenada and its dependencies, and it is hereby enacted by the authority of the same, that in addition to three Colonial Revenue Officers, authorised to be appointed by the first recited Act, it shall be lawful for the Governor, from time to time, to appoint four other persons to be Colonial Revenue Officers, to act as in the said first recited Act mentioned; and every such person shall, on his appointment, give bond, with surties, make the declaration, and be subject to the rules, regulations, laws, penalties and conditions (save and except the restriction with regard to age), of a Colonial Revenue Officer, under the said first recited Act.

And be it enacted, that one of such Colonial Revenue Officers shall be stationed at the Port of Hillsborough, in Carriacou; one at the Port of Grenville, in the Parish of Saint Andrew; one at the Parish of Saint Patrick; and another at the United Parishes of Saint John and Saint Mark; and such Colonial Revenue Officers, so stationed, shall receive salaries and allowances, respectively, at and after the following rates, namely:—

The Officer for the Island of Carriacou, a Salary of	£120	} per annum.
" " " an allowance	40	
for an Office and a Boat and Boatmen	120	
The Officer for the Parish of Saint Andrew, a Salary of	120	
" " " an allowance	40	} £160
for an Office and a Boat and Boatmen	40	

The Officer for the Parish of Saint Patrick, a Salary of	£80	} per annum.
" " " an allowance	20	
for Horse and Boat hire	—	
The Officer for the United Parishes of St. John and	80	
" " " St. Mark, a Salary of	80	} per annum.
" " " an allowance	20	
for Horse and Boat-hire	—	
	£100	

to be paid, quarterly, by the Public Treasurer, on warrant of the Governor.

And whereas, by virtue of the provision of an Act of the Imperial Parliament of the United Kingdom of Great Britain and Ireland, holden in the twelfth and thirteenth years of the reign of her present Majesty, intituled, "An Act to amend the laws in force for the encouragement of British Shipping and Navigation," certain restrictions previously existing upon the opening of free Ports in Her Majesty's Possessions abroad have been removed, whereby the Legislature of Grenada have now the power and authority to open such Ports within the Colony, for the admission of Foreign as well as British Shipping and Goods, as might be deemed expedient and of advantage to trade and commerce; Be it therefore enacted, that the Port of Hillsborough, in Carriacou, and the Port of Grenville, in Grenada, are hereby declared, constituted, and appointed Ports of Entry within this Government.

Clause III.
Recites Act 12th
and 13th, Victoria,
c. 22.

Ports of Hillsbo-
rough, in Carriacou,
and Grenville, in
Grenada, to be Ports
of Entry.

Clause IV.
Stations and duties
of officers.

And be it enacted, that such Colonial Revenue Officers, to be stationed at the Ports of Hillsborough and Grenville, respectively, shall, and they are hereby required to perform such duties relating to trade and shipping, and all other functions required by any Act of the Imperial Parliament, that may be requisite at the said Ports, respectively; and such Colonial Revenue Officers at the said Ports shall obey all such orders and directions as they may, from time to time, receive from the Lords Commissioners of Her Majesty's Treasury, the Honorable the Commissioners of Her Majesty's Customs, or the Comptroller, or other principal Officers of Customs and Navigation Laws, stationed in this Colony, in respect to such duties to be performed under the authority of any Act of the Imperial Parliament, Orders in Council, Treasury Minutes, or orders from the Board of Customs.

And be it enacted, That all and singular the duties imposed by any Act of the Legislature of Grenada, upon vessels entering and clearing at the Customs of this Colony, or upon the importation or exportation of goods into or from this Colony, and required to be paid to the Public Treasurer, shall, in respect of vessels entering or clearing at, or the importation or exportation of goods into, or from, the Ports of Hillsborough and Grenville, be paid to the Colonial Revenue Officers at the aforesaid Ports, respectively, instead of such Public Treasurer.

Clause V.
Duties payable to
Treasurer, in re-
spect of Vessels en-
tering and clearing
at Hillsborough and
Grenville, to be paid
to Colonial Revenue
Officers there.

And be it enacted, That all and singular the Manifests, Bills of Entry, Declarations, Warrants and Certificates required by any Act of this Colony to be given, brought, made out, delivered or affirmed to, before or by the Public Treasurer, on or before the arrival or departure of any vessel at or from this Colony, or the unlading or lading of any goods therefrom or thereat, shall, in respect of vessels entering or clearing at, or the importation or exportation of goods into or from, the Ports of Hillsborough and Grenville, aforesaid, be given, brought, made out, delivered and affirmed to, before, or by the Colonial Revenue Officers at the aforesaid Ports, respectively, instead of such Public Treasurer.

Clause VI.
Bills of Entry, &c.,
to be given and
affirmed to before
such officers.

And be it enacted, That all and singular the powers, authorities and duties vested in, or authorized or required to be done or performed by the Public Treasurer, by any Act or Acts of the Legislature of Grenada, on the entering or clearing of vessels at, or on, or in relation to the importation or exportation of goods into, or from, this Colony, shall, in respect of vessels entering or clearing at, or the importation or exportation of goods into, or from, the Ports of Hillsborough and Grenville, aforesaid, be vested in,

Clause VII.
Certain powers now
vested in Treasurer,
to be executed by
such officers.

Clause VIII.
Fines, &c., to be
paid to such off-
cers.

done and performed by the Colonial Revenue Officers, at the aforesaid Ports, respectively, instead of such Public Treasurer.

And be it enacted, That all and singular the fines, penalties, pains, forfeitures and provisions, imposed by, or contained in, any Act or Acts of the Legislature of Grenada now in force, or hereafter to be passed, for wilfully and corruptly making and subscribing any false declaration before, or delivering any false manifest to the Public Treasurer, and for regulating, securing, and enforcing the payment to him of any duties on the entering or clearing of vessels at the importation or exportation of Goods into, or from, this Colony, shall extend and be applied to any person who shall wilfully and corruptly make and subscribe any false declaration before, or shall deliver any false manifest to, the respective Colonial Revenue Officers, at the Ports of Hillsborough and Grenville, aforesaid, and shall be applicable for regulating, securing and enforcing the payment of the duties hereby made payable to the said Colonial Revenue Officers, respectively, on the entry or clearing of vessels at, or the importation or exportation of, goods into, or from, the Ports of Hillsborough and Grenville, aforesaid, respectively, to all intents and purposes, as if the same fines, penalties, pains, forfeitures and provisions had been herein repeated and specially enacted.

Clause IX.
Officers to account.

And be it enacted, That the Colonial Revenue Officers, at the Ports of Hillsborough and Grenville, aforesaid, shall account for, and pay over to the Public Treasurer once in every month, or oftener, if required by him, all and singular the duties collected or received by such Colonial Revenue Officers, respectively, under this Act.

No. CLXXVII.

An Act to make provision for the treatment of certain African Immigrants. [18th December, 1850.]—Left to its operation by Order in Council, dated 14th April, 1851.

Preamble.

WHEREAS, Africans captured under the authority of Treaties, or Acts of Parliament for the abolition of the Slave-Trade, have been sent to, or landed at, or may be sent to, or landed at, Grenada, by or under the authority of Her Majesty's Government, and provision hath been made by law for the support and maintenance of such Africans at Grenada, until they can be properly located to the satisfaction of the Governor; And whereas, provision hath also been made by law for defraying the expenses incurred by or under the authority of Her Majesty's Government in conveying natives of Africa who shall voluntarily emigrate therefrom to this Colony, and for payment of the expences incident to the support and maintenance of such Africans from the date of their arrival at Grenada, until they can be properly located as aforesaid; And whereas, it is necessary to make further provision for regulating the treatment of such Africans:

Clause I.
Stipendiary Magistrates declared protectors of African immigrants.

Be it therefore enacted, by the Governor, the Council and Assembly of the Island of Grenada and its dependencies, and it is hereby enacted by the authority of the same, That the Stipendiary Magistrates shall, and they are hereby declared to be the protectors of all such immigrants as have been, or shall be, located within their respective districts.

Clause II.
Assignment of Africans.

And be it enacted, That it shall be lawful for the Governor to assign any such Africans to such person or persons as to him shall seem meet, to be employed as hereinafter mentioned, that is to say, such Africans, being of the age or reputed age of eighteen years or upwards, on their arrival at Grenada, to be employed, under contract for one year, in the service of the person or persons to whom such Africans shall be so assigned, upon such terms and conditions as the Governor in Council shall, from time to time, appoint, and all such Africans being capable of work shall be liable and

bound to serve, according to the terms and stipulations of such contract, for the said period of a year, unless such contract shall be sooner dissolved by lawful authority, in which case it shall be lawful for the Governor to re-assign any such African to any other person or persons on the terms and conditions aforesaid, for the unexpired portion of such year.

And be it enacted, That it shall be lawful for the Governor, if he shall so think fit, to direct any Africans under the age of fifteen years, at the time of their arrival at Grenada, who shall not be accompanied to Grenada by any his or her parent or parents, or reputed parent or parents, to be employed under contract upon the terms and conditions aforesaid, until they shall attain such age of fifteen years, and such contract shall be made for or on behalf of such Africans by the Stipendiary Magistrate of the District in which such Africans shall be located, and shall be binding on them and their employers during the continuance thereof.

Clause III.
Africans under 15 years, may be employed under contract until that age.

And be it enacted, That any such African immigrant being above the age of fifteen years, and under the age of eighteen years, may, with the consent of his or her father, or reputed father, or in case of the death or absence of the father, with the consent of the mother of such African immigrant, or in the event of the death or absence of both such parents, with the consent of the Stipendiary Magistrate of the District in which such immigrant shall be located, enter into contract of service, to be approved by the Governor, and subject to the terms and conditions aforesaid, such contract to continue in force until such African immigrant shall arrive at the age of eighteen years, unless sooner dissolved by lawful authority.

Clause IV.
Africans above 15, and under 18 years, may enter into contract until they attain 18 years.

And be it enacted, That the age of all such African immigrants shall be ascertained as nearly as may be by the Stipendiary Magistrate of the District in which they are located.

Clause V.
Age of Africans to be ascertained by special Justices.

And be it enacted, That it shall be lawful for the Governor in Council, from time to time, to make and promulgate rules and orders for the general treatment of all such Africans while under contract as aforesaid, and the regulations so made shall be deemed part of such contract.

Clause VI.
Governor in Council, to make rules for treatment of Africans.

And be it enacted, That every contract to be made under, or in pursuance of this Act, shall be deemed to be a contract within the meaning of the Act or Acts from time to time in force, for regulating the relative rights and duties of masters and servants, and shall be enforced and dealt with under the provisions of such Act or Acts.

Clause VII.
Contract to be deemed such, within the meaning of existing Contract Act.

And be it enacted, That the word "Governor," in this Act, shall be construed to mean the Officer, for the time being, administering the Government of this Colony.

Clause VIII.
Interpretation of word "Governor."

No. CLXXVIII.

An Act to continue, or revive and continue, until the thirty-first day of December, one thousand eight hundred and fifty-one, and from thence until the end of the then next session of the Legislature, an Act intituled "An Act for granting an aid to Her Majesty, to be applied for the purposes of immigration," as amended by a subsequent Act, and by this Act. [27th December, 1850.]—Left to its operation by Order in Council, dated 14th April, 1851.]

Vide Acts, Nos. 184, and 192.

WHEREAS, an Act was passed by the Legislature of Grenada, intituled "An Act for granting an aid to Her Majesty, to be applied for the purposes of immigration," and bearing date the twelfth day of December, one thousand eight hundred and forty-five, and which said Act was limited to continue in force until the thirty-first day of December, one thousand eight

Preamble.
Recited Act, No. 132, 12th Dec., 1845.

And Act, No. 166,
30th November,
1849.

hundred and forty-six, and from thence until the end of the then next session of the Legislature; And whereas, the said Act has been, from time to time, continued, and the same has been altered and amended, and now stands limited to continue in force until the thirty-first day of December, one thousand eight hundred and fifty, by an Act for that purpose passed, and bearing date the thirtieth day of November, one thousand eight hundred and forty-nine: And whereas, it is expedient to continue in force, or revive, and continue in force for a further limited period of time the said first mentioned Act, as the same has been and is altered and amended, by the second mentioned Act, and by this Act.

Clause I.
Above recited Acts
as amended contin-
ued until 31st De-
cember, 1851, and
thence until end of
the next session of
the Legislature.

Period for making
Returns.

Clause II.
Persons making
false Returns liable
to penalties of per-
jury.

Clause III.
Recited Acts and
this Act construed
as one Act.

Be it therefore enacted, by the Governor, the Council and the Assembly of the Island of Grenada and its dependencies, and it is hereby enacted by the authority of the same, That the said first above-mentioned Act, bearing date the twelfth day of December, one thousand eight hundred and forty-five, as the same has been and is altered, and amended by the said secondly above-mentioned Act, bearing date the thirtieth day of November, one thousand eight hundred and forty-nine, and by this Act, shall continue in force, or be revived, and the same is hereby continued, or revived and continued, in force until the thirty-first day of December, one thousand eight hundred and fifty-one, and from thence until the end of the then next session of the Legislature, save and except, and be it enacted, that in lieu of the several and respective returns required by the said first-mentioned Act to be given in, quarterly, of all or any rum, such returns, upon and from and after the first day of January, one thousand eight hundred and fifty-one, shall be given in within twenty-one days next after the thirty-first day of December, one thousand eight hundred and fifty, and fourteen days next after the thirtieth day of June, one thousand eight hundred and fifty-one, and the thirty-first day of December in same last mentioned year.

And be it enacted, That if any person in any return required by the said recited Acts, or this Act, shall wilfully and corruptly make any false statement, or swear any matter or thing which shall be false or untrue, every such person so offending, and being thereof duly convicted, shall be subject and liable to such pains and penalties as by the laws in force, persons convicted of wilful and corrupt perjury, are subject and liable to.

And be it enacted, That the said recited Acts and this Act shall be deemed, construed, and taken as one Act.

No. CLXXIX.

An Act to amend the Act for the appointment of a Police Magistrate for the Town and Parish of Saint George, and for further improving the Police. [8th January, 1851.]—Left to its operation by Order in Council, dated 25th June, 1851.

Preamble.

No. 140.

Clause I.
Fees in Schedule to
Act, No. 140, to be
paid to Justices for
performance of mat-
ters under other
Acts.

WHEREAS, an Act was passed by the Legislature of Grenada, in the year one thousand eight hundred and forty-six, intituled, "An Act for the appointment of a Police Magistrate, for the Town and Parish of Saint George, and for further improving the Police," and it is expedient to amend the said Act:

Be it, therefore, enacted, by the Governor, the Council and Assembly of the Island of Grenada and its Dependencies, and it is hereby enacted by the authority of the same, That such fees as are contained in the Schedule to the said recited Act, shall be paid to the Justice or Justices of the Peace who shall perform any of the several matters in the said Schedule mentioned, for or in respect of such matters, respectively, whether the Act to be done or performed, or done or performed, by such Justice or Justices, shall be authorized by the said recited Act, or by any other Act passed, or

to be passed, by the Legislature of Grenada, and it shall be lawful for any such Justice or Justices to refuse to do any act for which any fee shall be demandable, unless such fee shall be first paid, and that if any such act shall be done and the fee due thereon shall not be paid, it shall be lawful for any such Justice or Justices to summon the person from whom such fee shall be due, and to make order for payment of the same, with the costs of the proceedings, and in default of payment, to levy the same, with the costs of the distress, by warrant under his or their hand or hands, and all such fees shall be paid over by every such Justice to the Public Treasurer, for the public uses of the Colony.

§ 3 & 3 Victoria, c. 71, s. 43.

Recovery and appropriation of such fees.

And be it enacted, That all penalties, forfeitures and other sums of money, imposed, awarded or ordered to be paid by any Justice or Justices, under or by virtue of the said recited Act, or this Act, in case of non-payment thereof, may be levied, with the costs of such proceedings on non-payment, by distress and sale of the goods and chattels of the offender or person liable to pay the same, by warrant, under the hand or hands of such Justice or Justices, and the overplus, if any, of the money so raised or recovered, after discharging with costs the penalty, forfeiture or sum ordered to be paid, shall be returned on demand to the party whose goods and chattels shall have been distrained, and in case any such penalty, forfeiture or sum of money shall not be forthwith paid, it shall be lawful for such Justice or Justices to order the party to be detained in safe custody until return can be conveniently made to such warrant of distress, unless such party shall give security to the satisfaction of the Justice or Justices for his appearance at such place and time, not being more than seven days from the time of such detention, as shall be appointed, for the return of the warrant of distress, and such Justice or Justices is and are hereby empowered to take such security by way of recognizance or otherwise, but if, upon the return of such warrant, it shall appear that no sufficient distress could be had whereupon to levy the said penalty, forfeiture or sum of money, and the same shall not be forthwith paid, or in case it shall appear to the satisfaction of the Justice or Justices, upon the confession of the party or otherwise, that he has not sufficient goods and chattels whereupon such penalty, forfeiture or sum of money could be levied if a warrant of distress should be issued, it shall be lawful for the Justice or the Justices, by warrant, under his or their hand or hands, to commit such party to the Common Gaol, there to remain for any time not more than one calendar month where the sum to be paid shall not exceed five pounds, and not more than three calendar months in any case, the imprisonment to cease on payment of the sum due.

Clause II.
§ 3 & 3 Victoria, c. 71, s. 45.

Recovery of penalties and forfeitures.

And be it enacted, That when any complaint shall be made before any Justice or Justices, and any warrant or summons shall issue in consequence thereof, it shall be lawful for such Justice or Justices, who shall have heard and determined the matter of the complaint, to award such costs to be paid by either party and in manner and form as to him or them shall seem fit, to the party injured, and in case any person so ordered by the Justice or Justices shall not forthwith pay or give security for the same, to the satisfaction of the Justice or Justices, the same shall be levied by distress, and if goods and chattels of such person cannot be found, or in case it shall appear to the satisfaction of the Justice or Justices, upon the confession of the party or otherwise, that he has not sufficient goods and chattels whereupon such costs could be levied if a warrant of distress should be issued, it shall be lawful for the Justice or Justices to commit such person to the common Gaol for any period not exceeding one calendar month, nor less than ten days, or until such sum, together with the expenses attending the commitment, be first paid.

Clause III.
18 George III, c. 19.
Justices empowered to award costs.

And be it enacted, That any person who shall unlawfully cut, root, dig or carry away any canes, plantains or other agricultural produce, from any plantation, field, garden, close or land, shall, on conviction thereof, before

Clause IV.
Penalty for unlawful destruction or removal of agricultural produce.

any two or more Justices of the Peace, or the Police Magistrate, or any Stipendiary Magistrate, be liable to a penalty not exceeding forty shillings, or to imprisonment in the Common Gaol, with or without hard labour, at the discretion of the convicting Magistrate or Magistrates, for any time not exceeding one calendar month.

Clause V.
Penalty for carrying
fire, or smoking to-
bacco in canes or
bagasse yard.

And be it enacted, That if any person shall, by day or night, carry fire, or lighted torch or candle, unless enclosed in a lantern, or smoke tobacco in any piece of sugar canes, bagasse house or bagasse yard, any person so offending, shall, on conviction before any two or more Justices of the Peace, or the Police Magistrate, or any Stipendiary Magistrate, be liable to a penalty not exceeding forty shillings, or to imprisonment in the common Gaol, with or without hard labour, at the discretion of the convicting Magistrate or Magistrates, for any time not exceeding one calendar month.

Clause VI.
Empowering Jus-
tices to order pull-
ing down houses in
Towns for arresting
fire.
Compensation to
owners of such
houses.

And be it enacted, That when any fire shall happen to break out in any Town within this Colony, it shall be lawful for two Justices of the Peace to give directions for the pulling down, or blowing up, any house or houses, which shall be by them deemed expedient to be pulled down or blown up for arresting the progress of such fire, in which case the owner or owners of such house or houses shall receive compensation for the same from the other householders in such Town, such compensation to be fixed by the Board of Magistrates, who are hereby empowered to make such rate or rates for the raising and levying such sum or sums of money, as shall be by them considered just and reasonable in that behalf; Provided, that if the house wherein the fire shall begin or break out shall be pulled down or blown up by any such order, the owner of such house shall not be entitled to compensation for the same.

Clause VII.
Carcases of animals
dying of distemper,
to be buried or
burnt.

And be it enacted, That the owner or possessor of any horse, mule, cattle, sheep, goat, hog or other quadruped, which shall happen to die from any distemper or disease, shall, within twelve hours after such death, or as soon afterwards as he shall have knowledge thereof, cause the carcase of such animal to be buried, at least two feet under ground, or to be completely burnt or destroyed by fire, and in default thereof, every such owner or possessor shall, on conviction before any two or more Justices of the Peace, or the Police Magistrate, or any Stipendiary Magistrate, be liable to a penalty not exceeding forty shillings, or to imprisonment in the common Gaol, with or without hard labour, at the discretion of the convicting Magistrate or Magistrates, not exceeding one calendar month.

Clause VIII.
Appropriation of
penalties.

And be it enacted, That all penalties and forfeitures imposed by this Act, shall be for the use of Her Majesty, her heirs or successors, and shall be paid to the Public Treasurer for the public uses of this Colony.

Clause IX.
Repeal of Acts.

And be it enacted, That the several Acts passed by the Legislature of Grenada, respectively, intituled, "An Act for preventing and punishing those who shall wilfully fire, burn or destroy any canes, dwelling houses, or any other edifices," "An Act to prevent the spreading of canine madness, and to compel the burying or burning of the carcases of dead animals in these Islands," and "An Act to repeal the fourth clause of an Act, intituled, "An Act for relieving the free coloured and free black persons in these Islands from certain penalties to which they are liable, by certain Acts of the Legislature, to enable the Provost Marshal to prove the service of summonses and subpoenas by any free coloured or free black persons, to authorize such free coloured and free black persons to give evidence in all cases whatsoever, and for extending the elective franchise to them in certain cases, and for other purposes," shall be and the same are hereby repealed, provided that such repeal shall not be construed to revive any Act or part of any Act repealed by the said Acts, or any of them, but every such Act and part of any Act so repealed, shall be and continue repealed as if this Act had not been passed.

Clause X.
Incorporation of

And be it enacted, That this Act, and the Acts intituled, "An Act for establishing a Police, and to regulate the same," and "An Act for further

improving the Police," and the said Act, intituled, "An Act for the ap- pointment of a Police Magistrate, for the Town and Parish of Saint George, and for further improving the Police," shall be construed together as one Act. Acts. Nos. 89, 136, 140, and 179.

No. CLXXX.

An Act to permit and regulate Appeals from the decision or adjudication of the Justices of the Peace. [13th February, 1851.]—Left to its operation by Order in Council, dated 25th June, 1851.

WHEREAS, it is expedient to permit appeals to be made from the decision or adjudication of any Justice or Justices of the Peace, to the Chief Justice of the Colony, and to regulate the mode of proceeding on such appeals. Preamble.

Be it, therefore, enacted, by the Governor, the Council and Assembly of the Island of Grenada and its Dependencies, and it is hereby enacted by the authority of the same, That the Chief Justice of this Colony, sitting alone in the Supreme Court of Judicature, shall have and exercise an appellate jurisdiction in and over all questions which by any law of this Colony now are, or shall or may hereafter become subject to, the decision or adjudication of any one or more Stipendiary or other Justice or Justices of the Peace, any law or usage to the contrary notwithstanding. Clause I.
Chief-Justice to exercise appellate jurisdiction over decisions of Justices of the Peace.

And be it enacted, That the appellate jurisdiction to be exercised under this Act, shall be denominated the Appeal Session of the Supreme Court of Judicature, and such Sessional Court shall be held on the second Tuesday of the months of February, April, June, August, October and December, in every year, at the Court House, in the Town of Saint George, and on any other days by adjournment. Clause II.
Appellate Session to be held on the 2nd Tuesday in February and every alternate month.

And be it enacted, That the Secretary, Provost Marshal, and Interpreter of the Supreme Court of Judicature, shall, respectively, attend the sittings of the said Sessional Court of Appeal, and that the said Secretary shall enter and record all the proceedings, orders, judgments and decisions of the same Court, and that all process issuing from the said Court shall run in Her Majesty's name, and bear test in the name and under the seal of the Chief Justice for the time being, and subpoenas for the attendance of witnesses shall be served by and at the cost of the party requiring the same. Clause III.
Secretary, Marshal, and Interpreter, to attend sittings, &c.

Process to run in Her Majesty's name under seal of Chief-Justice.

And be it enacted, That it shall be lawful for any person who shall think himself aggrieved by any conviction, order, decision or adjudication of any one or more Stipendiary or other Justice or Justices of the Peace, in session or out of session, to appeal therefrom to the next session of the said Appeal Court, which shall be holden not less than twelve days after the day of such conviction, order, decision or adjudication, provided that the person who shall desire to appeal from any such conviction, order, decision or adjudication shall make known such his intention to the Justice or Justices by whose decision or adjudication he deems himself aggrieved, within three days of the pronouncing of the same, and shall also give to the other party within the same time notice of such appeal, and shall also within the same time enter into a recognizance with two sufficient sureties before a Justice of the Peace, conditioned personally to appear at the said session, and to try such appeal, and to abide the judgment of the Court thereupon, and to pay such costs as shall be by the Court awarded, and upon such notice being given and such recognizance being entered into, the execution of the decision appealed from shall be suspended until the appeal be decided by the said Chief Justice, or abandoned, as hereinafter mentioned, and the Justice before whom such Clause IV.
Parties aggrieved by conviction of Justices, may appeal on notice, entering into recognizance, &c., &c.

recognizance shall be entered into shall, by warrant under his hand and seal, direct the appellant, if in custody, to be liberated therefrom, and the Justice or Justices from whose decision any appeal is intended to be made shall, within six days after receiving such notice of appeal, (unless the appellant shall sooner countermand such notice of appeal or declare his intention to the said Justice or Justices of the peace to abandon the same) send in to the Secretary of the said Court a correct copy of the proceedings in the case appealed from, certified under his or their hand and seal or hands and seals.

Clause V.
Power of Chief-Justice on hearing appeals, proceedings, &c.

And be it enacted, That the said Chief Justice shall, on the hearing of any such appeal, have power and authority to examine on oath when he shall deem it expedient, to the ends of justice, both parties to such appeal, and to re-examine any witness or witnesses who had given testimony on the original hearing of the complaint, and also in his discretion, in any case where he shall deem it conducive to the ends of justice, either on the part of the appellant or respondent, to examine any witness or witnesses other than such as may have been examined before the Justice or Justices of the Peace, from whose decision or adjudication any appeal shall be made, and likewise to call for any other legal evidence which to him the said Chief Justice shall appear to be necessary for attaining the ends of justice, and the said Chief Justice, on hearing such appeal, shall make such order therein, with or without costs, to be taxed by the Secretary, and to be paid by either party, as to the Chief Justice may seem meet, and a copy of such order shall be notified by the said Secretary to the Justice or Justices of the Peace whose decision or adjudication shall have been appealed from, or in the discretion of the said Chief Justice, to any other Justice or Justices of the Peace in or near the same Parish or place by whom the order made on such appeal shall and may be enforced, by all or any of the ways or means in or by which the order appealed from might have been enforced.

Clause VI.
Fees of officers, &c.

And be it enacted, That the fees mentioned in the Schedule hereunto annexed shall be the fees to be taken by the Secretary, Marshal and Interpreter, for business in the said Court, and a table of such fees shall be exhibited in some conspicuous part in the office of the Secretary of the said Court, for the better information of the public.

Clause VII.
When appeal may now be brought before Supreme Court, such appeal to be to Chief Justice.

And be it enacted, That where, by any law, or in any case in which at the time of the passing of this Act, an appeal from any conviction, decision, order or adjudication of any Justice or Justices of the Peace, may be brought before the said Supreme Court of Judicature, an appeal may, after the passing of this Act, be brought before the said Court of Appeal, under the authority of this Act, and not before the said Supreme Court.

Clause VIII.
Returns of Recognizances, &c.

And be it enacted, That all recognizances taken under the provisions of this Act shall be returned, by the Justice or Justices taking the same, to the said Secretary, and on forfeiture thereof, shall and may be prosecuted in like manner as forfeited recognizances are proceeded with in the Supreme Court of Judicature.

Clause IX.
No conviction to be quashed or reversed for defect of form.

And be it enacted, That no conviction, judgment, decision, adjudication or order of any Justice or Justices of the Peace shall be quashed or reversed for any defect of form therein, or in any proceeding before such Justice or Justices, but every appeal under this Act shall be heard and decided on the merits only, and no such appeal shall be removed by certiorari.

Clause X.
No appeal from commitment for trial.

And be it enacted, That nothing herein contained shall be construed to authorize an appeal from any commitment for trial before the said Supreme Court.

Clause XI.
Act not to interfere with Her Majesty's power to pardon.

And be it enacted, That nothing herein contained shall be construed to interfere with Her Majesty's prerogative of pardon.

SCHEDULE.

Secretary :

For every subpoena or name therein	£0	0	6	Schedule of fees.
„ Attending Court on hearing, minuting and preparing order	0	2	6	
„ Copy order	0	1	0	

Provost-Marshal :

Attending Court on hearing each case	0	2	6	
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Interpreter :

Each witness examined	0	1	0	
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No. CLXXXI.

An Act to amend the Criminal Law. [27th February, 1851.]—
Left to its operation by Order in Council, dated 25th June,
1851.

WHEREAS, by an Act passed by the Legislature of Grenada, in the year one thousand eight hundred and thirty-one, intituled, “An Act to repeal an Act intituled, An Act to assimilate the Criminal Code of the Island of Grenada and its Dependencies, as near as may be to the Criminal Code of England, relative to offences against the person,” it was, amongst other things, enacted, that every person convicted of murder should be executed according to Law, on the day next but one after that on which the sentence shall be passed, unless the same shall happen to be Sunday, and in that case on the Monday following, and the body of every murderer shall, after execution, either be dissected, or hung in chains, as to the Court shall seem meet, and sentence shall be pronounced immediately after the conviction of every murderer, unless the Court shall see reasonable cause for postponing the same, and such sentence shall express, not only the usual judgment of death, but also the time and place (which last the Court was thereby authorized to direct) for the execution thereof, and that the body of the offender shall be dissected or hung in chains, whichever of the two the Court shall order, and that after such sentence shall have been pronounced, it shall be lawful for the Court or Judge to stay the execution thereof, if such Court or Judge shall so think fit, and that whenever dissection shall be ordered by such sentence, the body of the murderer shall be delivered by the Provost-Marshal-General, or his lawful Deputy, to any surgeon willing or desirous of dissecting the same, and if no surgeon can be procured to dissect such body, then the Provost-Marshal-General, or his lawful Deputy, shall and may cause such body to be interred without dissection, and that every person convicted of murder shall, after judgment, be confined in some safe place within the prison, apart from all the other prisoners, and shall be fed with bread and water only, and with no other food or liquor, except in case of receiving the sacrament, or in case of any sickness or wound, in which case the surgeon of the prison may order other necessaries to be administered, and no person but the gaoler and his servants, and the chaplain and surgeon of the prison, shall have access to any such convict, without the permission, in writing, of the Court or Judge before whom such convict shall have been tried, or of the Provost-Marshal-General, or his lawful Deputy, and that in case the Court or Judge shall think fit to respite the execution of such convict, such Court or Judge may, in or out of Court, by a license in writing, relax, during the period of the respite, all or any of the restraints or regulations thereinbefore directed to be observed :

Be it enacted, by the Governor, the Council and Assembly of the Island

Preamble.
Recites Act, 16th
December, 1831.
No. 72.
4 and 5, William IV,
c. 26.
6 and 7, William IV,
c. 30.—Clause 4.

Clause 5.

Clause 6.

Clause 1.

of Grenada and its Dependencies, and it is hereby enacted by the authority of the same, that so much of the said Act as is hereinbefore recited shall be, and the same is, hereby repealed.

Clause II.
Pronouncing sentence of death for murder.

And be it enacted, That sentence of death may be pronounced after convictions for murder in the same manner, and the Court or Judge shall have the same power in all respects as after convictions for other capital offences.

Clause III.
Execution of sentence.

And be it enacted, That the Governor shall direct the time and place for the execution of the sentence of death on persons convicted of murder, and the Provost-Marshal shall cause the body of such murderer to be buried in such place as the Governor may approve.

Clause IV.
Punishment of the Pillory abolished.

And be it enacted, That judgment shall not be given and awarded against any person or persons convicted of any offence, that such person or persons do stand in or upon the pillory, any law, statute or usage to the contrary notwithstanding, provided that nothing herein contained shall extend, or be construed to extend, in any manner to change, alter or affect any punishment whatsoever which may now be by law inflicted in respect of any offence, except only the punishment of the pillory.

Clause V.
Recites Act of 2nd August, 1834. No. 79, Clause 25.

And whereas, by an Act passed by the Legislature of Grenada, in the year one thousand eight hundred and thirty-four, intituled, "An Act for the better administration of criminal justice," it was, amongst other things, enacted, that every person convicted of simple larceny, or of any felony thereby made punishable like simple larceny, should (except in the cases thereafter provided for) be liable, at the discretion of the Court, to be transported for the term of seven years, or to be otherwise punished, as by the said Act provided: And whereas it is expedient to abolish the punishment of transportation for the offence of simple larceny, and for felonies by the said last recited Act made punishable like simple larceny: Be it enacted, that so much of the said last recited Act as makes any person convicted of simple larceny, or for any felony by such Act made punishable like simple larceny, (except in the cases thereafter otherwise provided) liable to be transported beyond the seas for the term of seven years, shall be repealed, but any person so convicted shall be liable, at the discretion of the Court, to be otherwise punished, as by the said Act is provided.

Punishment of transportation taken away in case of simple Larceny.

11 and 12 Victoria, c. 46.

And whereas the technical strictness of criminal proceedings might in some instances be further relaxed, so as to ensure the punishment of the guilty without depriving the accused of any just means of defence: And whereas, it is expedient to make further provision for the more effectual prosecution of accessories before and after the fact to felony: And whereas, it is also expedient that any accessory before the fact to felony should be liable to be indicted, tried, convicted and punished, in all respects like the principal, as is now the case in treason, and in all misdemeanors: Be it, therefore, enacted, that from and after the passing of this Act, if any person shall become an accessory before the fact to any felony, whether the same be a felony at common law, or by virtue of any statute or statutes made or to be made, such person may be indicted, tried, convicted and punished, in all respects as if he were a principal felon.

Clause VI.
Accessories before the fact to any felony may be punished in the same degree as the principal.

Clause VII.
Trial and conviction of accessories after the fact.

And whereas, an accessory after the fact to felony can at present be tried only along with the principal felon, or after the principal felon has been convicted, and not otherwise, which is sometimes productive of a failure of justice; Be it, therefore, enacted, that from and after the passing of this Act, if any person shall become an accessory after the fact to any felony, whether the same be a felony at common law or by virtue of any statute or statutes made or to be made, he may be indicted and convicted, either as an accessory after the fact to the principal felony, together with the principal felon, or after the conviction of the principal felon, or may be indicted and convicted of a substantive felony, whether the principal felon shall or shall not have been previously convicted, or shall or shall not be amenable to justice, and may thereupon be punished in like manner as any accessory

after the fact to the same felony, if convicted as an accessory, may be punished, and the offence of such person, howsoever indicted, may be inquired of, tried, determined and punished by any Court which shall have jurisdiction to try the principal felon in the same manner as if the act, by reason of which such person shall have become an accessory had been committed at the same place as the principal felony; Provided always that no person, who shall be once duly tried for any such offence, whether as an accessory after the fact, or as for a substantive felony, shall be liable to be again indicted or tried for the same offence.

And whereas, according to the present practice of Courts of Criminal Jurisdiction, it is not permitted in an indictment for stealing property to add a Count for receiving the same property, knowing it to have been stolen, or in an indictment for receiving stolen property, knowing it to have been stolen, to add a Count for stealing the same property, and justice is hereby often defeated: Be it, therefore, enacted, that from and after the passing of this Act, in every indictment for feloniously stealing property, it shall be lawful to add a Count for feloniously receiving the same property, knowing it to have been stolen, and in any indictment for feloniously receiving property, knowing it to have been stolen, it shall be lawful to add a Count for feloniously stealing the same property, and where any such indictment shall have been preferred and found against any person, the prosecutor shall not be put to his election, but it shall be lawful for the jury who shall try the same to find a verdict of guilty, either of stealing the property, or of receiving it, knowing it to have been stolen, and if such indictment shall have been preferred and found against two or more persons, it shall be lawful for the jury who shall try the same to find all or any of the said persons guilty, either of stealing the property, or of receiving it, knowing it to have been stolen, or to find one or more of the said persons guilty of stealing the property, and the other or others of them guilty of receiving it, knowing it to have been stolen.

Clause VIII.
As to additions of Counts in indictments for stealing and receiving stolen property.

And whereas, a failure of justice frequently takes place on criminal trials by reason of variances between writings produced in evidence, and the recital or setting forth thereof in the indictment or information, and the same cannot now be amended at the trial except in cases of misdemeanor, for remedy thereof: Be it enacted, that it shall and may be lawful for any Court of Oyer and Terminer, and General Gaol Delivery, if such Court shall see fit so to do, to cause the indictment or information for any offence whatever, when any variance or variances shall appear between any matter in writing or in print produced in evidence, and the recital or setting forth thereof in the indictment or information whereon the trial is pending to be forthwith amended in such particular or particulars by some officer of the Court, and after such amendment, the trial shall proceed in the same manner in all respects, both with regard to the liability of witnesses to be indicted for perjury and otherwise, as if no such variance or variances had appeared.

Clause IX.
Courts of Oyer and Terminer may cause indictments to be amended in certain cases.

And whereas, an Act was passed by the Legislature of Grenada in the year one thousand eight hundred and twenty-seven, intituled, "An Act to alter and reduce into one Act two several Acts of the Legislature, for the establishment and regulation of a Tread-Mill in the Town of Saint George," and it is expedient to repeal such Act: Be it, therefore, enacted, that the said last recited Act shall be, and the same is, hereby repealed, provided nevertheless, that all Acts and provisions repealed by the said last recited Act shall remain repealed, and provided also that the lot of land and buildings therein described as the lot of land lately purchased, contiguous to, and adjoining the, public gaol, and the building or buildings erected thereon, and thereby declared part of the public gaol, shall continue part of such gaol.

Recites Act, 20th August, 1827.

Clause X.
Recited Act repealed. Proviso.

And be it enacted, That it shall be lawful for the Governor to authorize the sale of the Tread-Mill, and the proceeds of such sale shall be paid to the Public Treasurer, for the public uses of the Colony.

Clause XI.
Tread-Mill to be sold.

Clause XII.
Persons convicted
of the offences here-
in mentioned may
be sentenced to im-
prisonment with
hard labor.

And be it enacted, That whenever any person shall be convicted of any of the offences hereinafter specified and set forth, that is to say, any attempt to commit felony, any riot, being an utterer of counterfeit money, knowing the same to be counterfeit, keeping a common gaming-house, a common bawdy-house, or a common ill-governed and disorderly house, wilful and corrupt perjury, or of subornation of perjury, in each and every of the above cases, and whenever any person shall be convicted of any or either of such offences, it shall and may be lawful for the Court before which any such offender shall be convicted, or which by law is authorized to pass sentence upon any such offender, to award and order (if such Court shall think fit) sentence of imprisonment, with hard labor, for any term not exceeding the term for which such Court may now imprison for such offences, either in addition to, or in lieu of, any other punishment which may be inflicted on any such offender by any law in force before the passing of this Act, and every such offender shall thereupon suffer such sentence in the common gaol, for such time as aforesaid, as such Court shall direct.

Clause XIII.
Construction of
term Governor.

And be it enacted, That the word Governor, in this Act, shall be construed to mean the officer for the time being administering the Government of Grenada.

No. CLXXXII.

Vide Act, No. 118. An Act for taking an Account of the Population of Grenada and its Dependencies.* [9th September, 1851.]—Left to its operation by Order in Council, dated 26th December, 1851.

* * * *Population on 2nd October, 1851—32,671.*

No. CLXXXIII.

An Act to render more simple and effectual the Titles by which Congregations or Societies, for purposes of Religious Worship or Education, in Grenada, hold Property for such purposes. [10th November, 1851.]—Left to its operation by Order in Council, dated 11th February, 1852.

Preamble.

WHEREAS, it is expedient to render more simple and effectual the titles by which congregations or societies associated together for the purposes of maintaining Religious Worship, or promoting Education in Grenada, may hold the property required for such purposes :

Clause I.
Property conveyed
for Religious or
Educational pur-
poses to vest in
successors without
conveyance.

Be it, therefore, enacted, by the Governor, the Council and Assembly of the Island of Grenada and its Dependencies, and it is hereby enacted by the authority of the same, that wherever freehold or leasehold property in Grenada has been or hereafter shall be acquired by any congregation, or society, or body of persons, associated for religious purposes, or for the promotion of Education, as a Chapel, Meeting-house, or other place of Religious Worship, or as a Dwelling-house, for the Minister of such congregation, with Offices, Garden, and Glebe, or Land in the nature of Glebe, for his use, or as a School-house, with School-Master's House, Garden, and Play Ground, or as a College, Academy, or Seminary, with or without grounds, for air, exercise, or recreation, or as a Hall, or Rooms, for the meeting or transaction of the business of such congregation, or society, or body of persons, and wherever the Conveyance, Assignment, or other Assurance of such property, has been or may be taken to or in favour of a Trustee or Trustees, to be from time to time appointed, or of any party or

parties named in such Conveyance, Assignment, or other Assurance, or subject to any Trust, for the congregation, or society, or body of persons, or of the individuals composing the same, such Conveyance, Assignment, or other Assurance shall not only vest the freehold or leasehold property thereby conveyed or otherwise assured, in the party or parties named therein, but shall also effectually vest such freehold or leasehold property, in their successors in Office for the time being, and the old continuing Trustees, if any, jointly, or if there be no old continuing Trustees, then in such successors for the time being wholly chosen and appointed in the manner provided or referred to in or by such Conveyance, Assignment, or other Assurance, or in any separate deed or instrument declaring the trust thereof, or if no mode of appointment be therein set forth, prescribed, or referred to, or if the power of appointment be lapsed, then in such manner as shall be agreed upon by such congregation, or society, or body of persons, upon such and the like trusts, and with, under and subject to the same powers and provisions as are contained or referred to in such Conveyance, Assignment, or other Assurance, or in any such separate deed or instrument, or upon which such property is held, and that without any Transfer, Assignment, Conveyance, or other Assurance whatsoever, anything in such Conveyance, Assignment, or other Assurance, or in any such separate deed or instrument contained to the contrary notwithstanding: Provided always, that in case of any appointment of a new Trustee or Trustees of or the Conveyance of the legal estate in any such property being made as heretofore was by Law required, the same shall be as valid and effectual to all intents and purposes as if this Act had not been passed.

And be it enacted, that for the purpose of preserving evidence of every such choice and appointment of a new Trustee or new Trustees, and of the person and persons in whom such charitable estates and property shall so from time to time become legally vested, every such choice and appointment of a new Trustee or new Trustees, shall be made to appear by some deed, under the hand and seal of the Chairman for the time being of the meeting at which such choice and appointment shall be made, and shall be executed in the presence of such meeting, and attested by two or more credible witnesses, which Deed may be in the form or to the like effect of the Schedule to this Act annexed, or as near thereto as circumstances will allow, and may be given and shall be received as evidence in all Courts and proceedings, in the same manner, and on the like proof, as Deeds under seal, and shall be evidence of the truth of the several matters and things therein contained.

Clause II.
Appointment of
new Trustees to be
made appear by
Deed.

SCHEDULE TO WHICH THIS ACT REFERS.

Memorandum of the choice and appointment of new Trustees of the (*describe the Chapel, School, or other Buildings, and Property*) situate in the Parish (*or Town*) of _____ in Grenada, at a meeting duly convened and held for that purpose, (*in the Vestry of the said Chapel*), on the 1st day of October, 1851. A. B., of _____ Chairman.

Names and descriptions of all the Trustees on the constitution, or last appointment of Trustees made the _____ day of _____

Adam Bell, of
Charles Dixon, of
Edward Forster, of
George Hurst, of
John Jackson, of
Kenneth Lucas, of
Matthew Norman, of
Octavius Parker, of

Names and descriptions of all the Trustees in whom the said Chapel and premises now become legally vested.

First.—All continuing Trustees :

John Jackson, now of
Matthew Norman, now of
Octavius Parker, now of

Second.—New Trustees now chosen and appointed :

Benjamin Adams, of
Charles Bell, of
Jonathan Edmonds, of
Richard Baxter, of
John Home, of

Dated this

day of

WILLIAM HICKS, (L.S.)

Chairman of the said Meeting.

Signed, Sealed, and delivered by the said *William Hicks*, as Chairman of the said Meeting, at, and in the presence of the said Meeting, on the day and year aforesaid, in the presence of

C. D.

E. F.

(The blanks and parts in italics to be filled up as the case may be.)

No. CLXXXIV.

Vide Act, No. 192. An Act, further to continue and amend an Act, intituled, "An Act for granting an aid to Her Majesty, to be applied for the purposes of Immigration." [29th December, 1851.]—Left to its operation by Order in Council, dated 15th May, 1852.

Preamble.
Recites Act, No. 132, as amended by Acts Nos. 166 and 178.

WHEREAS, an Act was passed by the Legislature of Grenada, intituled "An Act for granting an aid to Her Majesty, to be applied for the purposes of Immigration," and bearing date the twelfth day of December, one thousand eight hundred and forty-five, which Act was to continue in force for a limited time ; And whereas, the said Act has been, from time to time, continued, and now stands limited to continue in force, as amended by two Acts, bearing date the thirtieth day of November, one thousand eight hundred and forty-nine, and the twenty-seventh day of December, one thousand eight hundred and fifty, until the thirty-first day of December, one thousand eight hundred and fifty-one, and from thence until the end of the then next session of the Legislature ; And whereas, it is expedient to continue the said Act, so amended, as aforesaid, in force for a further limited period of time, subject as hereinafter mentioned ;

Clause I.
Recited Act, so amended, continued until 31st December, 1852, and thence until end of next session of the Legislature.

Be it, therefore, enacted, by the Governor, the Council and Assembly of the Island of Grenada and its Dependencies, and it is hereby enacted by the authority of the same, that the said recited Act, so amended, as aforesaid, shall continue in force until the thirty-first day of December, one thousand eight hundred and fifty-two, and from thence until the then next Session of the Legislature, subject as hereinafter mentioned.

Clause II.
Rum, the produce of the Colony, intrusted to a factor, for sale, on or after 1st January, 1853, to be deemed in possession of owner or manufacturer.

And be it enacted, That rum, the produce of this Colony, and intrusted to a factor for sale, upon, from and after the first day of January, one thousand eight hundred and fifty-two, shall be deemed to be in the possession of the owner or manufacturer thereof, who, and not such factor, shall be liable to the tax or duty payable in respect thereof, and no such factor shall be required to give in or make any return of such rum, and so much of the said recited Act, and of the Schedule thereto annexed, marked B,

as requires the owner or manufacturer of any such rum, to return the same as delivered to a factor for sale, shall, in respect of such rum, be, and the same is hereby repealed.

And be it enacted, That the returns or ingivings of rum consumed, or sold for consumption, on and from and after the first day of January, one thousand eight hundred and fifty-two, and of all other rum in respect of which any return is or shall be required by the said recited Act, or any Act continuing the same, shall, thenceforth, be made quarterly, as required by the said recited Act, and not half yearly.

Clause III.
Period for making returns.

And be it enacted, That it shall be lawful for the Public Treasurer to order an inspection, by a Colonial Revenue Officer, of any rum returned, or to be returned under the provisions of the said recited Act, or any Act continuing the same, in respect of which duty shall not have been paid; and every person who shall have returned, or shall return any such rum as being on hand, shall, and he is hereby required to shew, or cause such rum to be shewn to, and submit the same to the Inspection of such Officer, who shall report the result of such Inspection to the said Treasurer.

Clause IV.
Authority of Treasurer to order inspection by Revenue Officer of Rum returned.

And be it enacted, That every person who shall have returned, or shall return, such rum, as last aforesaid, and who shall not be able, satisfactorily, to account for any deficiency in the quantity or proof thereof, shall be liable and be made to pay the tax or duty payable in respect of such rum, or so much thereof as shall not be satisfactorily accounted for, and shall be liable to a penalty not exceeding one hundred pounds, to be severally recovered in a summary way, under the provisions of the said recited Act.

Clause V.
Persons making return of Rum on hand, and not being able satisfactorily to account for deficiency, to be liable to duty and penalty.

And be it enacted, That if any person, liable to any tax or duty under or by virtue of the said recited Act, or any Act continuing the same, shall have died, or shall die without having paid such tax or duty, the assets of every such person shall be liable to such tax or duty in the hands of his or her executors or administrators, from whom the same may be recovered, on summons and complaint, as in the case of an original defaulter, under the provisions of the said recited Act.

Clause VI.
Assets of deceased person, not having paid duty, liable thereto, in the hands of Executor.

And be it enacted, That the said recited Act, as continued and amended, as aforesaid, and this Act, shall be construed as one Act.

Clause VII.
Construction of Act.

No. CLXXXV.

An Act, for granting unto Her Majesty an aid, by rates, taxes, and assessments. [29th December, 1851.]—Left to its operation by Order in Council, dated 5th April, 1852.

WHEREAS, the sum of sixteen thousand pounds is required to be raised, levied and collected, and paid unto her Majesty, for the purpose of discharging the claims and sums of money to become due in the year one thousand eight hundred and fifty-two, under the provisions of this Act, and of other Acts: We, therefore, the Representatives of the people of the island of Grenada and its dependencies, have resolved to give and grant unto your Majesty, the rates, taxes and assessments specified in this Act, and in the Schedule, marked A, hereunto annexed.

Preamble.

Be it therefore enacted, by the Governor, the Council and the Assembly of the said Island and its dependencies, and it is hereby enacted by the authority of the same, that upon and from and after the first day of January, one thousand eight hundred and fifty-two, there shall be raised, levied and collected, and paid unto Her Majesty, for and in respect of the valued rental of certain houses, stores, sheds, buildings, lots and tenements, within his Government, by the party or parties who shall be, or shall have been, the owner or owners thereof, on the thirty-first day of December, one thousand eight hundred and fifty-one; and for and in respect of certain

Clause I.
Rates and Taxes, in Schedule A, to be raised and paid.

horses, mares, geldings and mules within this Government, by the party or parties who shall be, or shall have been, the owner or owners thereof, respectively, on the said thirty-first day of December, one thousand eight hundred and fifty-one; and for and in respect of certain licenses to be granted for the several purposes of retailing spirits, and of carrying on the business of an auctioneer, respectively, and respectively mentioned in the said Schedule, marked A, hereunto annexed (except, nevertheless, as in the same Schedule are excepted), the several rates, taxes and assessments, as the same are respectively inserted or described and set forth in figures in the said Schedule, marked A, hereunto annexed.

Clause II.
How rates and
taxes are to be as-
sessed and fixed.

And be it further enacted, That the several rates, duties, taxes and assessments, imposed by this Act, and respectively inserted, or described, and set forth in the said Schedule, marked A, hereunto annexed, for and in respect of the valued rental of certain houses, stores, sheds, buildings, lots and tenements, within this government, and for and in respect of certain horses, mares, geldings and mules, within this government, on the last day of the year, ending as aforesaid, shall be ascertained and fixed by the Public Treasurer, from the returns to be taken by the Commissioners in the month of January, one thousand eight hundred and fifty-two, under and by virtue of an Act in that behalf, and intituled "An Act for procuring annual returns of certain objects of property," and bearing date the twelfth day of December, one thousand eight hundred and fifty, or under and by virtue of any other Act, passed or to be passed, with the same or similar objects.

No. 175.

Clause III.
Colonial Revenue
Officers in out-pa-
rishes to be autho-
rized by Treasurer
to receive and give
receipt for Taxes.

And whereas, much inconvenience has arisen and been experienced, by many persons liable to pay taxes, being compelled to come to the Town of Saint George from the Island of Carriacou, and other distant parts of this Colony, to pay the same at the office of the Public Treasurer; For remedy thereof, Be it enacted, That it shall be lawful for the Public Treasurer, and he is hereby required to authorize the several Colonial Revenue Officers, stationed at Carriacou, the Port of Grenville, and the Parishes of Saint John and Saint Mark and Saint Patrick, to receive and to grant receipts for all taxes due under this Act, by the several and respective parties liable, who may tender the same in and for the respective Parishes in which they are severally stationed, according to lists of such taxes, which the Public Treasurer is hereby authorized and required to furnish to the said several respective Colonial Revenue Officers, at least one calendar month before the time by this Act appointed, for the payment of the said several rates, taxes and assessments, imposed by this Act.

Clause IV.
Colonial Revenue
Officers to account
to Treasurer for
their receipts, and
to give Bond to
Her Majesty for
moneys received.

And be it enacted, That the said Colonial Revenue Officers are hereby authorized and required to receive all and every such sum and sums of money so tendered as aforesaid, and shall account for and pay over to the Public Treasurer, once in every month, or oftener, if required by him, all and singular such sum and sums of money received by them respectively, under this Act, and shall be remunerated for such service under this Act by the Public Treasurer, out of any public money in his hands, and not otherwise appropriated, by a commission of five pounds, per centum, upon all taxes collected or received by them hereunder; and every such Colonial Revenue Officer is hereby required to give security, by bond, to her Majesty, with two sureties, in the sum of one hundred pounds, well and truly to account for all such monies, as aforesaid.

Clause V.
When and where
taxes are to be paid.

And be it further enacted, That the several rates, taxes and assessments, respectively imposed by this Act, and in the said Schedule thereof, marked A, set forth, shall be paid by the several and respective parties liable to pay the same, on or before the first day of July, one thousand eight hundred and fifty-two, to the Public Treasurer, at his office, or to the several Colonial Revenue Officers, hereinbefore authorized and required to collect the said rates, taxes and assessments, in their respective parishes, for the Public Treasurer; and the said Colonial Revenue Officers are hereby required to

make out correct lists of all persons in their respective parishes, who shall have refused, or neglected to pay such rates, taxes or assessments, upon or previously to the first day of August, one thousand eight hundred and fifty-two, and to forward such lists to the Public Treasurer, within five days next thereafter.

And be it enacted, That if any person or persons liable to pay any of the said several rates, taxes or assessments, respectively by this Act imposed, and respectively inserted or described and set forth in the said Schedule, marked A, shall refuse or neglect to pay the same, respectively, at the time and places hereinbefore in that behalf mentioned and appointed, the said Treasurer shall, in every such case, where the tax shall exceed the sum of twenty-five shillings, and he is hereby required to issue his warrant against such defaulter or defaulters, under his hand and seal, in nature of an execution, directed to the Provost Marshal, requiring him to levy upon the goods and chattels, and in case no sufficient goods or chattels can be found to satisfy such rates, taxes and assessments, respectively, with charges and expences, then to levy upon the lands and tenements of such defaulters, respectively, for the amount of the said rates, taxes and assessments, respectively, and in case neither goods or chattels, nor lands nor tenements, of such defaulters, respectively, can be found sufficient to satisfy the said rates, taxes or assessments, respectively, with costs and charges, then to take the body of such defaulter, and him or her safely to keep, in the common gaol of this Island, for the space of three calendar months, unless, in the mean time, the amount of the said rates, taxes and assessments, respectively, with all costs and expences, shall be paid; and the Provost Marshal is hereby required, upon the receipt of any and every such warrant, forthwith to execute the same; and where goods or chattels shall be thereunder taken, the same, if not redeemed by full payment of the amount of the said rates, taxes and assessments respectively, with all costs and expences, shall be sold, at public outcry, as usual upon an execution issuing out of the Supreme Court of Judicature, in the Town of Saint George, but within ten days after levy thereon; and if lands or tenements be levied upon, then such lands or tenements, if not redeemed, as aforesaid, shall be sold, in like manner, but within twenty days after such levy thereon, public notice, in each case, being first given in as many of the Island newspapers as shall, for the time being be published, and out of the money arising from such sale the amount of the said rates, taxes and assessments, respectively, for or in respect of which such warrant shall have been issued, shall be immediately paid over by the Provost Marshal to the Public Treasurer, and the surplus, after deducting therefrom all charges and expences attending the levy and sale, respectively, shall be paid to the defaulter.

Clause VI.
Proceedings in case of refusal or neglect to pay taxes at the time and place appointed.

Provided always, and be it enacted, That in all cases in which the tax payable by any defaulter shall not exceed twenty-five shillings, it shall be lawful for the Treasurer, and he is hereby required, to issue his warrant or warrants, under his hand and seal, directed to any constable, or other fit and proper persons he may appoint, that is to say, one warrant for the Town of Saint George, and one warrant for each of the Parishes of this Colony, with a list annexed to each such warrant, of the several defaulters in the Town or Parish, for which each such warrant is respectively addressed, and stating the amounts of the several rates, taxes and assessments respectively due by such defaulters, and authorizing and requiring such constable, or other persons appointed by him as aforesaid to levy the same, together with the sum of four shillings, as and for costs and charges attending each such levy, by distress and sale of the goods and chattels of such defaulters, respectively, within seven days after each such levy, and every such constable or person appointed, as aforesaid, shall forthwith pay over the said several rates, taxes and assessments, so levied by him, to the Public Treasurer.

Proviso.
Where tax does not exceed 25s.

Clause VII.
Treasurer liable for
unpaid taxes.

And be it further enacted, That the Public Treasurer shall be liable and charged in his public account, and be accountable for all rates, taxes and assessments which he shall or ought to have received, collected or levied, and for all unpaid rates, taxes and assessments for the levying of which he shall neglect or omit to issue his respective warrants, against defaulters respectively, in the manner hereinbefore mentioned and required, upon or before the first day of September, one thousand eight hundred and fifty-two, the said Public Treasurer, first giving notice thereof, by publicly advertizing the names of the persons and estates respectively who shall not have paid the amount of their respective rates, taxes and assessments, in the weekly newspaper or newspapers of this Colony, if more than one, which shall be deemed sufficient legal notice and demand, fourteen days at the least before issuing his said warrants, respectively, together with a statement of the amount of the unpaid rates, taxes and assessments, for which his respective warrants will be issued.

Clause VIII.
Funds to be applied
to payment of sala-
ries, &c.

And be it further enacted, That from and after the first day of January, one thousand eight hundred and fifty-two, it shall and may be lawful for the Public Treasurer, and he is hereby required, by and out of whatever sum of money, being the balance or sum of money that shall be found by the Committee of Public Accounts to have been in his hands, for and belonging to the Public upon the said thirty-first day of December, one thousand eight hundred and fifty-one, and by and out of all and every other sum and sums of money whatsoever, that at any time during the continuance of this Act shall or may come to or be in his hands, as Public Treasurer, for or belonging to the public under or by virtue of any Statute or Act of Parliament of the United Kingdom of Great Britain and Ireland, or of the Legislature within this Government, and not otherwise thereby expressly appropriated; as also by and out of the several duties, rates, taxes and assessments, sum and sums of money to be raised, levied and collected by, and paid to, him, the Public Treasurer, under, or in pursuance of, this Act, or any of the provisions thereof; and by and out of all fines and forfeitures, to be paid to, or received by, the Public Treasurer, under or by virtue of this or any other Act, law, proceeding, order or adjudication whatsoever, and not otherwise legally and specifically appropriated, on warrant, under the hand and seal at arms of the Officer for the time being administering the Government of this Colony, to pay and satisfy unto the several persons respectively entitled to receive payment of public salaries, annuities, debts, sums, votes, or claims, and whose names or names of office, or other descriptions respectively are mentioned and described or set forth in the Schedule marked B, hereunto annexed as and when the same respectively shall be or become due or payable, the amount of the several salaries, annuities, debts, sums, votes or claims, respectively inserted in figures, and set opposite to their names or names of office, or other descriptions respectively in the same Schedules, and in the proportions, manner and form in the said Schedule B, in that behalf mentioned, without distinction, priority, or preference in regard to such salaries, annuities, debts, sums, votes, or claims respectively, notwithstanding any previous Act or Acts of the Legislature of this Colony to the contrary thereof.

Clause IX.
Salaries and annu-
ities to be paid
quarterly, except to
Police Force, which
are to be paid
monthly.

And be it enacted, That the Public Treasurer shall and may, and he is hereby required, upon demand, to pay all public salaries and annuities quarterly, reckoning from the said first day of January, one thousand eight hundred and fifty-two, notwithstanding any previous Act or Acts to the contrary, out of any public monies that may be in his hands not otherwise legally appropriated, so long as this Act shall continue in force, except the salaries to the Police Force, which shall be payable monthly.

Clause X.
Duration of Act.

And be it enacted, that this Act shall take effect upon the first day of January, one thousand eight hundred and fifty-two, and shall continue in force from thence until the thirty-first day of December in the same year, and no longer.

And be it enacted, That all public salaries, annuities, debts, sums, votes or claims provided for in or by the Act intituled, "An Act for granting unto Her Majesty an aid by rates, taxes and assessments," and bearing date the twenty-seventh day of December, one thousand eight hundred and fifty, and which shall not have been paid upon this Act coming into operation, shall, on the warrant of the officer administering the Government, be paid to the officers or persons respectively entitled thereto, and for whose benefit the same were raised; and that all other monies collected or required to be paid under the provisions of the said Act which shall not have been paid, shall continue payable, and be paid, recovered and levied under the provisions of the said Act, notwithstanding the expiration thereof.

Clause XI.
Salaries, &c., provided by existing Supply Act, and remaining unpaid, to be paid on warrant of Governor, notwithstanding expiry of Act.

SCHEDULE A.

Of Rates, Taxes and Assessments, to be raised, levied and paid under the foregoing Act:—

	£	s.	d.		£	s.	d.
Houses, stores, sheds, buildings, lots and tenements, except such buildings as are exclusively for plantation purposes, not being occupied dwelling houses or cottages	For every £100 of the assessed rental thereof, being to the amount of £10 or more per annum.	1	10	0	Licences.—To sell Spirituous Liquors by retail, in less quantity than 20 gallons at one and the same time.		
Ditto (except as above) where the assessed rental shall not amount to £10, for each house, &c.		0	3	0	In Town of Saint George, or within one mile thereof, for 12 months	40	0 0
Horses, mares, geldings and mules, used with the saddle, crook, or in draft, each		1	0	0	In any other place within this Government	20	0 0
Horses, mares, geldings and mules, being the property of any Minister of the Gospel, or of any Officer of the Garrison, or of any Stipendiary Magistrate, or of any Proprietor or Tenant of a Plantation, in respect of which Taxes shall be paid upon any other object, matter or thing, under this Act, to the amount of £2, and chiefly used thereon for agricultural purposes, excepted.					And at and after the same rates, for six months.		
				.....	To carry on the business of an Auctioneer, generally, for 12 months	20	0 0
				.....	Ditto in Carriacou only, for 12 months	10	0 0

SCHEDULE B.

Of the appropriation of the sum of sixteen thousand pounds, to be raised under the foregoing Act:—

To pay the Church Establishment, viz:—				Precentor Presbyterian Church, Saint George			
Rector of Saint George	800	0	0	Organist, Saint George's Church	60	0	0
" " Saint John and Saint Mark	264	0	0	To pay Public Officers, viz:—			
" " Saint Patrick	264	0	0	Chief-Justice	800	0	0
" " Ditto for House rent	40	0	0	Attorney-General	320	0	0
" " Saint Andrew and Saint David	264	0	0	Island Secretary	480	0	0
" " Ditto for House rent	40	0	0	Ditto in lieu of fees on shipping	40	0	0
" " Carriacou	264	0	0	Public Treasurer	600	0	0
Curate of Saint Andrew and Saint David	150	0	0	Provost Marshal	720	0	0
" " Ditto for House rent	30	0	0	Clerk of Assembly	250	0	0
" " Saint George for ditto	40	0	0	Medical Attendant, Saint George's Gaol	40	0	0
Presbyterian Minister, Saint George	264	0	0	Messenger of Assembly	100	0	0
" " Ditto for House rent	40	0	0	Clerk of Committee of Correspondence	10	0	0
" " St. Andrew and St. Patrick	264	0	0	Police Magistrate	300	0	0
Parish Clerk, Saint George	30	0	0	Solicitor for drawing Public Bills for House of Assembly, and for affording his professional opinion and advice in all public matters required by the House	120	0	0
" " Saint John	20	0	0	Coroner of Saint George	60	0	0
" " Saint Mark	10	0	0	" " Saint John and Saint Mark	12	0	0
" " Saint Patrick	20	0	0				
" " Saint Andrew	20	0	0				
" " Saint David	20	0	0				
" " Carriacou	20	0	0				

500 [No. CLXXXV.—VI.] THE LAWS OF GRENADA,

	£	s.	d.		£	s.	d.
Coroner of Saint Patrick	-	-	20 0 0	Saint Patrick	-	-	20 0 0
" Saint Andrew	-	-	26 8 0	Saint Andrew	-	-	20 0 0
" Saint David	-	-	12 0 0	Saint David	-	-	13 4 0
" Carriacou	-	-	12 0 0	Carriacou	-	-	20 0 0
5 Colonial Revenue Officers, at £120 each, per annum	-	-	600 0 0	Miscellanies, viz. :—			
2 ditto at £80 each, per annum	-	-	160 0 0	Jane Campbell's annuity	-	-	33 0 0
4 Boatmen of ditto, Port of Saint George	-	-	72 0 0	32 Annuitants	-	-	128 0 0
Allowance for Boatmen and Office for Grenville and Hillsboro, each £40 per annum	-	-	80 0 0	Grand Etang and Noel's Hill Roads	-	-	250 0 0
Ditto ditto for Saint Patrick	-	-	20 0 0	Public Roads	-	-	1,500 0 0
Ditto ditto for St. John and St. Mark	-	-	20 0 0	For Educational purposes throughout the Colony, to be appropriated by the Legislature	-	-	1,000 0 0
To pay Clerk and Interpreter to Magistrates, viz. :—				Maintenance of Prisoners	-	-	300 0 0
For Saint George	-	-	200 0 0	Alms House Society	-	-	80 0 0
" Saint John	-	-	30 0 0	Colony Hospital	-	-	300 0 0
" Saint Patrick	-	-	30 0 0	Interment of deceased Paupers	-	-	100 0 0
" Saint Andrew	-	-	30 0 0	Fire Company	-	-	50 0 0
" Saint David	-	-	30 0 0	Repairs to water works	-	-	40 0 0
" Carriacou	-	-	30 0 0	For cleaning St. George's Burial Ground	-	-	10 0 0
" Saint Mark	-	-	15 0 0	Board of Magistrates for providing a place for, and for maintenance of Lunatics	-	-	200 0 0
Interpreter in the Supreme Court of Judicature	-	-	20 0 0	Chaplain of Saint George's Gaol	-	-	20 0 0
Harbour Master	-	-	250 0 0	Balance of the contract for building a Church in Carriacou	-	-	769 0 0
Keeper of Town Clock, Saint George	-	-	20 0 0	To purchase a right of road to the parish Church of Carriacou	-	-	50 0 0
Police Establishment	-	-	1,600 0 0	To Trustees of the Public Library and Museum for the purchase of Books	-	-	50 0 0
Public Printer	-	-	300 0 0	Balance of James Smith's contract for repair of Government-House	-	-	100 0 0
Free Press for copying advertisements	-	-	10 0 0	Balance of James Smith's contract for new roofing the Saint George's Gaol	-	-	44 0 0
Constables for horse hire, on executing Coroners' warrants	-	-	30 0 0	Amount of John Copland's contract for building Saint Patrick's Bridge	-	-	265 0 0
Receiver of water tax	-	-	6 10 0	For Extraordinaries	-	-	537 18 0
Superintendent of water works	-	-	40 0 0				
Clerks of Markets, viz. :—							
Saint George's, £80, and for keeping market clean, £20	-	-	100 0 0				
Saint John	-	-	20 0 0				



No. CLXXXVI.

An Act to amend the Law in regard to the Publication of the Banns of Marriage, and to facilitate the solemnization of Marriages. [25th May, 1852.]

Preamble.
No. 77.

WHEREAS, by an Act of the Legislature of Grenada, passed in the year one thousand eight hundred and thirty-three, intituled, "An Act to alter and amend an Act of these Islands, commonly called the Clergy Act, so far as relates to the time of the publication of Banns of Marriage, and for other purposes," it is enacted, that the publication of the Banns of Marriage, within the several Parishes within this Government, shall be made three several Sundays, during the time of Morning Service, or of Evening Service, if there be no Morning Service, immediately after the reading of the Second Lesson from the Holy Scriptures, in the Church or usual place of Public Worship of the Parish, in which the woman to be married shall then reside; And whereas, it is expedient to permit the publication of the Banns of Marriage in places within this Colony, duly licensed for Public Worship, and for the administration of the Sacraments and performance of other rites and ceremonies of the United Church of England and Ireland,

Be it, therefore, enacted, by the Governor, the Council and Assembly of the Island of Grenada and its Dependencies, and it is hereby enacted by the authority of the same, that the publication of the Banns of Marriage, within the several Parishes in this Government, shall and may be made in the Church, or any place, duly licensed, as aforesaid, within the Parish in which the woman to be married shall reside.

Clause 1.
Banns to be published in Church or place of worship in parish in which woman shall reside.

AND THE GRENADINES. [No. CLXXXVI.—VIII.] 501

And be it enacted, that Marriages duly solemnized in any such licensed place, by the Curate or officiating Clergyman, licensed thereto, in pursuance of Banns or License, shall be valid, and a register thereof shall be kept by him, instead of the Rector or officiating Minister of the Cure or Parish in which such licensed place shall be situate.

Clause II.
Marriages solemnized by Curate or officiating Minister valid, and such Minister to keep Register.

And be it enacted, That the fees payable for, or in respect of, any Marriage, or the registration thereof, shall be paid to and received by such Curate or officiating Clergyman, for and on account of, and be by him paid over to, the Rector or officiating Minister of the Cure or Parish in which such licensed place shall be situate.

Clause III.
Fees to be paid and received by officiating Minister for Rector.

No. CLXXXVII.

An Act to provide for the building a Bridge over the river Saint John. [25th May, 1852.]

WHEREAS, a Joint Committee of the Council and Assembly was lately appointed to receive estimates and plans for the erection of a Bridge over the River Saint John, at a place near the Town of Saint George, and such estimates having been laid before the Council and Assembly, one of such estimates for building a Bridge of Bullet Wood, across the said River, with abutments of mason work, according to the plan and specification furnished by the said Committee, for the sum of six hundred and ten pounds, was accepted by the Council and Assembly;

Preamble.

Be it enacted, by the Governor, the Council and Assembly of the Island of Grenada and its Dependencies, and it is hereby enacted by the authority of the same, that it shall be the duty of the Committee of Public Buildings, to superintend the building of the said Bridge and abutments, and to see to the due performance of the work, within the time limited for the completion thereof, and when so completed, to certify the same under their hands.

Clause I.
Committee of Public Buildings to superintend building of Bridge, and on completion, certify same.

And be it enacted, that the said sum of six hundred and ten pounds shall be paid out of the monies raised under the Act, intituled, "An Act for granting an aid to Her Majesty, to be applied for the purposes of immigration," or any Act or Acts continuing the same, on the warrant of the Governor.

Clause II.
Expense thereof to be paid out of immigration fund.

No. CLXXXVIII.

An Act to encourage the introduction of Laborers from the United States of America and the British North American Provinces. [25th May, 1852.]

WHEREAS, it is expedient to encourage the introduction of Agricultural Laborers into this Island;

Be it, therefore, enacted, by the Governor, the Council and Assembly of the Island of Grenada and its Dependencies, and it is hereby enacted by the authority of the same, that there shall be paid, for every person of African descent, who shall come, for the purpose of settling within this Government, from any part of the United States of America, or of the British North American Provinces, and who, being above the age of sixteen years, shall enter into an indenture, or written contract of service, for one year, as an agricultural laborer or mechanic, such contract to be made or ratified before, or in the presence of, a Stipendiary or other Justice of the Peace; or who being above the age of three years, and under the age of sixteen years, shall accompany any such person, being his or her child, or reputed child, or near relative, the bounty mentioned in the Schedule to this

Clause I.
Bounty to be paid for certain persons of African descent emigrating to this colony from the United States, or British North American Provinces.

Act annexed, such bounty to be paid from the Public Treasury, out of the monies raised for immigration purposes, on the warrant of the Governor, to such immigrant, being above the age of sixteen years, or his or her assigns, and to the parent or reputed parent of any such immigrant, being under that age.

Clause II.
Treasurer to keep
register of immi-
grants.

And be it enacted, that the Public Treasurer shall keep a register of all immigrants to, or for whom bounty shall be paid under the provisions of this Act, distinguishing, under different heads, the name, sex, and age of each such immigrant, in respect of whom such bounty shall have been paid; and the day when, and the vessel in which, such immigrant shall have come within this Government, and the party with whom the said contract shall have been entered into; and a true copy of such register shall be laid, by the Public Treasurer, before the Committee for Public Accounts, at each quarterly meeting for the audit of the Public Accounts.

Clause III.
Naturalization of
alien Immigrants.

And be it enacted, that every such immigrant, not being a British subject, who shall come into this Government, and enter into contract, as aforesaid, shall, on taking the oath of allegiance to her Majesty, her heirs, or successors, before the Governor, in the presence of the Secretary of the Colony, be entitled, within the limits of this Government, to all the privileges of a natural born British subject; and such Secretary shall enter in a register, to be kept in his office, the name of every such immigrant taking the said oath, with the particulars required to be inserted in the register, hereinbefore directed to be kept by the Public Treasurer; and the aforesaid register of the said Secretary, or an official extract therefrom, signed by him, shall, upon proof of the identity of such immigrant, be sufficient evidence of the right of such immigrant to the privileges aforesaid.

Clause IV.

And be it enacted, that the Act passed by the Legislature of Grenada, in the month of June, one thousand eight hundred and fifty-one, intituled, "An Act to encourage the introduction of Laborers from the United States of America and the British North American Provinces," shall be, and the same is hereby repealed.

SCHEDULE.

For every Immigrant of African descent, above the age of sixteen years	-	-	-	-	-	£5	0	0
For every child, above the age of three years, and under the age of sixteen years	-	-	-	-	-	3	0	0

No. CLXXXIX.

An Act for continuing the appointment of a Police Magistrate [11th August, 1852.]—Left to its operation by Order in Council, dated 10th November, 1852.

Recites Act, No.
140, as continued
by Act, No. 165.

WHEREAS, an Act was passed by the Legislature of Grenada, on the twenty-second day of September, in the year one thousand eight hundred and forty-six, intituled, "An Act for the appointment of a Police Magistrate for the Town and Parish of Saint George, and for further improving the Police," which, so far as relates to the appointment and continuance in Office of any Magistrate, thereby authorized to be appointed, was limited to continue in force for three years, and no longer; And whereas, by another Act passed by the Legislature of Grenada, on the eleventh day of August, one thousand eight hundred and forty-nine, it was enacted, that the said recited Act, so far as relates to the appointment and continuance in office of a Police Magistrate, shall continue in force until the twenty-second day of September, in that year, and thence for three years, and no longer, and that the said

Police Magistrate should, from and after the said twenty-second day of September aforesaid, receive a salary at and after the rate of three hundred pounds per annum, payable quarterly by the Public Treasurer, on the warrant of the Governor, who, it was thereby also enacted, should have power from time to time to remove any such Justice or Police Magistrate ; And whereas it is expedient to continue the said appointment of Police Magistrate ;

Be it therefore enacted, by the Governor, the Council and Assembly of the Island of Grenada and its Dependencies, and it is hereby enacted by the authority of the same, that the said first recited Act, so far as relates to the appointment and continuance in Office of a Police Magistrate shall continue in force for the further period of three years next after the passing of this Act, and that the said Police Magistrate shall receive a salary at and after the rate of three hundred pounds per annum, payable quarterly out of the Public Treasury, on the warrant of the Governor, and that every such Magistrate shall hold his Office during the pleasure of Her Majesty, her heirs or successors.

Appointment of Police Magistrate continued for 3 years.

His Salary.

No. CXG.

An Act for granting a sum of money to the Governor and Directors of the Colony Hospital, to be applied in the erection of a Cottage and Out Offices, for the use of the Surgeon of that Corporation. [11th August, 1852.]

WHEREAS, it is expedient to grant a sum of money to the Governor and Directors of the Colony Hospital, to be applied in the erection of a Cottage and Out Offices, for the use of the Surgeon of that Corporation ;

Be it therefore enacted, by the Governor, the Council and Assembly of the Island of Grenada and its Dependencies, and it is hereby enacted by the authority of the same, that the sum of two hundred and seventy pounds shall be paid to the Governor and Directors of the Colony Hospital of Grenada, to be applied in the erection of a Cottage and Out Offices for the use of the Surgeon of the said Corporation.

And be it enacted, that the said sum shall be paid on the warrant of the Governor, out of the monies raised under the Act intituled " An Act for granting an aid to Her Majesty, to be applied for the purposes of immigration," or any Act continuing the same.

Preamble.

Clause I.

Grant of £270.

Clause II.

To be paid out of immigration monies.

No. CXCI.

An Act to naturalize Francis DeCasta, Roman Catholic Priest, within the Island of Grenada and its Dependencies. [11th August, 1852.]—Confirmed by Order in Council, dated 10th November, 1852.

No. CXCII.

An Act, further to continue and amend an Act, intituled, " An Act for granting an aid to Her Majesty, to be applied for the purposes of Immigration." [2nd November 1852.]

WHEREAS, an Act was passed by the Legislature of Grenada, intituled, " An Act for granting an aid to Her Majesty, to be applied for the purposes of Immigration," and bearing date the twelfth day of December, one thousand, eight hundred and forty-five, which Act was to continue in force for

Recites Act, No. 132, as amended by Act, Nos. 166, 178 and 184.

a limited time ; And whereas, the said Act has been, from time to time, continued, and now stands limited to continue in force, as amended by three Acts, bearing date the thirtieth day of November, one thousand eight hundred and forty-nine, the twenty-seventh day of December, one thousand eight hundred and fifty, and the twenty-ninth day of December, one thousand eight hundred and fifty-one, until the thirty-first day of December, one thousand eight hundred and fifty-two, and from thence until the then next session of the Legislature ; And whereas, it is expedient to continue the said Act, so amended as aforesaid, in force for a further limited period of time.

Clause I.

Recited Act so
amended continued
until 31 Dec. 1853,
and thence until
end of next Session
of Legislature.

Be it therefore enacted, by the Governor, the Council, and Assembly of the Island of Grenada and its Dependencies, and it is hereby enacted by the authority of the same, that the said recited Act, so amended, as aforesaid, shall continue in force until the thirty-first day of December, one thousand eight hundred and fifty-three, and from thence until the end of the then next Session of the Legislature.

Clause II.

And be it enacted, that the said recited Act, as continued and amended, as aforesaid, and this Act, shall be construed as one Act.

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